STUDIES IN THE CULT OF YAHWEH

VOLUME ONE

Studies in Historical Method,
Ancient Israel, Ancient Judaism

RELIGIONS IN THE GRAECO-ROMAN WORLD

EDITORS

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H.S. VERSNEL

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STUDIES IN THE CULT OF YAHWEH

VOLUME ONE

Studies in Historical Method, Ancient Israel, Ancient Judaism

BY

MORTON SMITH

EDITED BY

SHAYE J.D. COHEN

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This series Religions in the Graeco-Roman World presents a forum for studies in the social and cultural function of religions in the Greek and the Roman world, dealing with pagan religions both in their own right and in their interaction with and influence on Christianity and Judaism during a lengthy period of fundamental change. Special attention will be given to the religious history of regions and cities which illustrate the practical workings of these processes.
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PREFACE

Papers on the Cult of Yahweh was the title chosen by Morton Smith for the collection of his scholarly articles that he first planned in 1972. Unfortunately, the pressure of other commitments – a glance at the list of his publications will reveal how much he accomplished after 1972! – and then, towards the end of his life, ill-health combined to prevent him from realizing this project. A year or two before his death he asked me to serve as his literary executor and empowered me to republish whichever of his articles I thought worthy. I set before me his 1972 outline, retained about half of it, and filled out the collection with work from his later period. I also changed the title slightly. No doubt Smith himself would have found much to correct and much to supplement in these essays – all of them need bibliographical updating, and not a few need some polishing – but I have left the essays in their original form with only minor changes. I have introduced a measure of consistency in the transliteration of Hebrew, in the citation of biblical, classical, and rabbinic texts, and in the footnote style, but I did not allow myself to become obsessed with absolute consistency, and I know that inconsistencies remain. In the course of re-typing and re-setting the essays, I have tacitly corrected numerous mistakes (incorrect references, typographical errors, etc.) but whatever joy I experienced by the removal of errors from my teacher's work is offset by the certain knowledge that, in spite of all my exertions, I have introduced new errors into the text. For all the errors and inconsistencies for which I am responsible, I beg the reader's indulgence and Smith's forgiveness.

These corrections aside, any intentional deviation from the original text of these essays has been indicated by **brackets.** In chapters 2, 4, 6, 7, 9, 10, and 16 Smith himself is responsible for the text in brackets: these are corrections that Smith entered on the margins of his offprints of the original publications. In chapters 19 and 20 I (and, in the case of chapter 20, Joseph Sievers) am responsible for the text in brackets. (Throughout the essays, Smith occasionally uses brackets to fill out self-understood but unexpressed words in quotations; this is a common usage which is easily recognizable and should not be confused with the additions and corrections which I am now describing.) To facilitate reference, the original pagination is indicated in each article, this too in brackets; all cross references within the volume are to the original pagination.

A complete list of Smith's publications, as well as an appreciation of his scholarly achievement, will appear in volume 2.

I would like to thank the following people: the holders of the copyright of the original publications, for permission to reprint; my students William K. Gilders and Ami Eden for assistance in checking the proofs; Prof. Seth Schwartz and my student Andrew Jacobs for their assistance in editing chapter nineteen; Dr. Joseph Sievers for editing chapter twenty.

Shaye J. D. Cohen

PART I

METHOD

CHAPTER ONE

HISTORICAL METHOD IN THE STUDY OF RELIGION

[8] Historical thought, as applied to the study of religion, has often concentrated attention on two questions which history is incapable of answering—those of the origin and nature of religion. The only thing history can tell us about the origin of religion is that it occurred in prehistoric times. As for the nature of religion, I should agree, of course, that the definition of the term is an historical question. Nothing is more wearisome than to have some philosopher invent his own meaning for the word *religion* and then go through history, either distinguishing "true religion," which fits his definition, from "religion falsely so called," which does not, or, even worse, trying to force all religion whatever into his own mold. By contrast with this philosophical procedure, the normal philological—and that is, historical—way of finding out what a word means is to determine what it has been used to mean and then describe the range and distribution of its uses. This method is used constantly, for instance, in determining the meanings of words in hitherto unknown or imperfectly known languages. One collects all the passages in which the word occurs and then looks for a meaning or group of meanings which will make sense in all of them. Theoretically, therefore, I agree that the determination of the meaning of the English word *religion* is an historical question. But practically I doubt very much that it is a soluble question. The variety of ordinary usage is so wide, the number of terms which the word has been used to translate in learned literature is so enormous, the special meanings which have been given it by individual thinkers are so many and so various, that the historical method is unusable because of the complexity of the problem. Even if a great staff of scholars were to produce a full account of the variety of the usages, that account because of its complexity could never be fully present at one time in any human mind. Those who have memorized the Babylonian Talmud can never know it all at once—they can only recall it part by part. Therefore I think the best we can do, with questions of this sort, is to content ourselves with the customary generalities produced by the superficial, historical methods of lexicography, and proceed to discuss the role of historical method in the study of religion without knowing exactly what we are talking about. [9]

This role is of course enormous, especially if one takes *historical investigation,* as I should, to include any sort of investigation intended to determine just what did happen at some time in the past. In this sense, scientific investigation, when it tries to determine what happened in a test tube, and criminal or legal investigation, when it tries to determine what happened at a crossroads, and a vast number of other specialized sorts of investigation, are all "historical." Any amount of stuff has, I know, been written about scientific method and historical method and so on, but as far as they are concerned to determine what happened in some past event, I think them the same: you start with certain pieces of present evidence, meter readings or manuscript text or whatever, you suppose that the present evidence was produced by the sort of cause-and-effect sequences which you have learned from one or another body of experience, and you try, accordingly, to imagine a set of causes which would have produced the effects, that is, the evidence, to be accounted for. If you can imagine two or more sets of causes which might have produced the same evidence, you judge between them on the basis of probability (which is another complicated set of generalizations from past experience) and your result, "history," is accordingly, by your standard, the most probable account of what happened. (It is not necessarily the true one. Indeed, it must sometimes be false, because improbable things sometimes happen and, when they do, they produce results of which the most probable explanations will be the wrong ones. But we can never recover the actual past event; therefore we have to accept, *faute de mieux,* the most probable explanation as the historical one. So truth is by definition stranger than history.) The search for, discovery, and acceptance of these most probable explanations shape almost all our thought about religion, as about almost everything else. From the immense range of its relevance in the study of religion I want to pick out two spheres I think of special importance.

The first is the obvious one: historical method enables us to produce the individual histories of the individual religions which have arisen, flourished, and declined among the civilized peoples of the world. These individual histories are not, of course, the history of religion. That, I suppose, if we use the terms strictly, would be an enormous, unknowable thing, an account of all religious activities all over the world, from year to year, throughout the whole course of history. This, thank Heaven, has never been attempted, and the term "history of religion" is usually misused for what should be called "the science of religion," that is, the attempt to classify religions by types, to describe the patterns of development and decline which are followed by the various types, to determine the causes which produce these patterns and the methods which might be used to alter them. Those who are accustomed to hope for great things from the social sciences will doubtless expect them also [10] from this scientific study of religion. Some, perhaps, will even envisage a practical handbook entitled

Religions, Their Causes and Cures. But, while we await the development of this science of religion, we must recognize that the first step toward it is the production of reliable histories of the individual religions. Only when we know accurately the life histories of our specimens can we begin to generalize about patterns of development. And lest one think that the life histories of the major religions are already well known, so that little remains to be done in this field, I want to indicate a few points in which the application of proper historical methods has still to be carried through in the study of the religions best known to our society—the religion of Israel and two of its major descendants, Judaism and Christianity.

The first requirement of historical method is to determine the content of your evidence. When your evidence includes texts, therefore, one of the first steps in the historical study of religion must be textual criticism—the determination of just what manuscripts you have, just what readings stand in which, how the different readings are related, and what was, most probably, the original from which they derived. In the study of the religion of Israel this work has been blocked by reverence for the common, medieval Hebrew text. Consequently, we still have no good critical text of the Old Testament, thousands of emendations almost certainly correct remain buried in the footnotes, while students continue to memorize inferior readings and produce implausible arguments in defense of them. To make a critical text it would be necessary, of course, to compare with the Hebrew manuscript the readings of the oldest versions and the quotations by ancient authors. But the one thing on which experts in Septuagintal studies seem to agree is that there is no satisfactory edition of the LXX, and careful study of the ancient Syriac versions is barely beginning. Editions of many of the major Greek and Latin Fathers are far from adequate, and the textual criticism of the Talmuds and the Midrashim is in even worse condition.

After one has determined just what the texts, in their present form, originally said, the next thing to be done is investigate their background. From what group do they come? What interests do they represent? The answers given these questions can make an enormous difference in our picture of the history of a religion. For instance, "*the* religion of Israel" is commonly reconstructed from the Old Testament on the basis of a tacit supposition that the works preserved in the Old Testament represent the beliefs and practices of most ancient Israelites. But there are strong reasons to believe that they actually represent the beliefs and wishful legislation of a minority party which came to power only for brief intervals during the period of the Kingdoms. If this be so, then the various religious practices common in ancient Israel were actually more like those which the Old Testament books denounce. Similar problems have been raised for early Christianity, by the work of Bauer, *Rechtgläubigkeit* [11] *und Ketzerei,* and for early Judaism, by that of Goodenough. In all these instances it appears that we need very careful studies of the events which led to the (practical or actual) canonization of the works now considered authoritative, and to the disappearance of most of the material not thus approved.

Once we have decided what parties and interests our texts represent, we can then go on (with due allowance for the bias of the works) to consider their interpretation and reliability. As to interpretation, we are generally well supplied with lexica and grammars, but a great deal still remains to be done in biblical lexicography, particularly in critical evaluation of the many proposals for interpretation of biblical texts in the half-light of ancient Near Eastern parallels. It must never be forgotten that the bulk of the Old Testament consists of works produced about the middle of the first millennium B.C., often a thousand years later, or more, than the second millennium B.C. texts which are advanced as explanations. Most of the biblical texts, therefore, are far closer in time to the earliest versions, especially the Septuagint, to the traditional interpretations (especially in the Apocrypha and Pseudepigrapha), and to the Phoenician and Nabatean cultures—besides being more closely related to the traditions from which these sprang.

But these problems of lexicography are insignificant by comparison with the questions of historical interpretation raised by much of the work, notably the archaeological work, of the past half century. A great deal of it was based on the assumption that possibility constituted proof: If evidence of destruction could be found in a city, for instance, and could possibly be dated to about the time when the Old Testament said the city was destroyed, that proved it was to be dated then, and the date then proved that the Old Testament account was correct and that the destruction was the work of the groups mentioned in the Old Testament—as if nobody else could have done it! Another common cause of error has been the tacit supposition that a source must be as old as its oldest element, so that, for instance, a few Ugaritic terms can be taken as proof that the Psalm in which they occur is of Ugaritic origin. The same method of criticism would prove *Paradise Lost* was composed by Homer. Equally ludicrous has been the neglect of the literary character of much of the preserved material, which is obviously legendary. Stories of men who entertain deities at dinner or save them from rape, wrestle with angels, or stop the sun and moon in mid career, are described as "substantially historical," and some scholars have actually had the impertinence—or stupidity—to declare that "there is no mythology in the Bible." Because of the story that Abraham came from Ur, the centuries following the destruction of Ur have been christened "the age of the patriarchs." One can imagine how classicists would laugh if some pious Latinist were to christen the centuries following the destruction of Troy VII, "the age of Aeneas." Most of this pseudo-historical criticism, therefore, will have to be done over. [12]

From all this it can be seen that there is a great deal to be done before we have reliable histories even of the individual religions best known to our own cultural tradition. The science of religion, for which these histories of particular religions are prerequisites, is still far in the future. But, when and if it comes, both it, and the individual histories already developing, will be shaped by a basic supposition of sound historical method.

This supposition, in classical terms, is "atheism." I say "in classical terms" because the adjective "atheist" was regularly used in classical times to describe, for instance, the Epicureans, who insisted that there were gods, but denied that they ever descended to any special intervention in the world's affairs. It is precisely this denial which is fundamental to any sound historical method. Whether or not supernatural beings exist is a question for metaphysics. Even if they exist and exercise some regular influence on the world, some influence of which the consequences are taken to be part of the normal course of natural events—let us say, for instance, that they determine the motion of the sphere of fixed stars, or that the whole of nature, including its regular operation, is a manifestation of some unchanging divine nature or will—even this is of no concern to history, since it is not history's task to inquire into the causes of the normal phenomena of nature. But the historian does require a world in which these normal phenomena are not interfered with by arbitrary and *ad hoc* divine interventions to produce abnormal events with special historical consequences. This is not a matter of personal preference, but of professional necessity, for the historian's task, as I said at the beginning, is to calculate the most probable explanation of the preserved evidence. Now the minds of the gods are inscrutable and their actions, consequently, incalculable. Therefore, unless the possibility of their special intervention be ruled out, there can be no calculation of most probable causes—there would always be an unknown probability that a deity might have intervened.

In all this I am, of course, contradicting the recent statement of Professor Thorkild Jacobsen, that when writing the history of religion we are only concerned to determine what ancient beliefs were, not whether or not they were true. This is false, because a great many ancient beliefs concerned supposed cases of divine intervention in history, and these are questions of historical fact. Whether Joshua's defeat of the Amorites at Gibeon was or was not prolonged by his stopping of the sun in mid heaven for the space of a day is just as much an historical question as whether a recent congressman's defeat of his opponents was or was not affected by tampering with the voting machines. In both cases, the historian must collect the evidence and try to discover the most likely explanation.

Let me give an example of the way in which this practical atheism of [13] historians works. A recent Ph.D. candidate undertook to write on international relations in the ancient Near East. He dutifully collected all the relevant passages he could find, and, not being historically minded, he took them at face value. Consequently, he produced the following preliminary report:

> International relations in the ancient Near East were entirely in the hands of the gods. The gods decided when war was to be declared, and when peace was to be made; they settled the boundaries and authorized the treaties; they directed the rulers by their oracles, and the rulers consistently represent themselves as merely the agents of the gods. An exception must be made in the case of Egypt, where the ruler was himself a god. He was consequently able to direct Egyptian affairs himself, and to take a more independent line vis-à-vis the other gods, than could the other rulers, who were only men.

The first and most obvious thing wrong with all this is the failure to ask, Who were the gods?—that is, what human beings were accepted as the mouthpieces of the gods or as able, for official purposes, to determine their wills? The historian must of course suppose that these human beings produced the directives represented as divine, and he will therefore look in those directives for indications of the interests and intentions of their human authors. He will therefore find, by the way, that the rulers of Assyria, who were evidently able to get whatever oracles they wanted, and promptly, were much less subject to "the gods" than were many Pharaohs who found their own divine wills opposed by those of "the gods," that is, the priesthoods of the great temples. And even if we suppose (as is probable) that many oracles were not cooked to order, but were expressions of the individual or group unconscious, or of the prophet's "sincere conviction," or whatever, and if we call the supposed cause of such oracles Amon or Ishtar or Yahweh—even this account of the cause permits and, indeed, requires naturalistic, psychological analysis and explanation. It is a mesh in the coherent web of natural causes and consequences, which a god is not. This fact has been much obscured by German romanticism, which liked to give divine names to psychological phenomena, but the difference is clear.

To make it clearer, let me conclude with a legal example. Shortly after a recent accident the police, arriving on the scene, found two cars in the ditch on the right hand side of the road. One car was overturned and its left side was mashed in; both persons in it were dead. The other car, its nose mashed in, was piled on top of the first. The driver's ribs were broken and he was unconscious, but alive; he smelled strongly of whiskey. It seemed evident that he had come out of the side road to the left, which there adjoined the main road, without stopping, and had hit the first car (which was traveling along the main road) in the side. When the driver recovered and was faced with the charges he explained the evidence as follows: "It's true I'd had a little drink, but I [14] wasn't drunk, 'n' I wasn't goin' fast at all, 'n' I meant to stop when I come to the main road, but the ol' Devil, he's always out to get me; so when I come up to that corner he come up right behin' me 'n' g'me a shove slam into that other car. There jus' wa'n't nothin' I could do about it."

This explanation is irrefutable. It accords perfectly with the traditional beliefs of both Christianity and Judaism, the major religions of our culture; therefore it cannot be said to describe a course of events which, by *the traditional standards of our culture,* could be called impossible. But the traditional standards of our culture are not its present, practical standards. For practical purposes we now work by the presuppositions common to history and science, among which, as I have argued, is one to the effect that supernatural intervention does not alter the normal course of physical events. Anyone who doubts that this presupposition is common might be asked to undertake the legal defense of this driver. I think he would be well advised to defend him on the ground of insanity. No jury would swallow that story. For a jury's task is essentially one of historical criticism—to determine whether or not the evidence presented establishes a probability strong enough to be taken as proof that the accused is guilty as charged. And the ordinary jury's refusal to accept accounts of supernatural intervention as explanations of historical evidence is an example of common sense which historians of religion would do well to follow.

I hope this conclusion seems a truism scarcely worth stating, because I now propose to give evidence of the need for stating it. I shall draw my evidence from the most authoritative work by the most eminent and competent general historian of religion now teaching in the United States, that is to say, from Professor Mircea Eliade's book, *Shamanism,* in its recent English edition (Bollingen Series, LXXVI, New York, 1965). In discussing shamanic initiation Eliade makes practically no distinction between initiations performed by men, in which there can be deliberate communications of traditional teachings and techniques previously unknown to the candidate, and initiation by sickness and hallucination, in which any unknown material must emerge from the candidate's subconscious. Thus he writes (p. 253 ff.), "Most of the (Chuckchee) shamans ... claimed to have had no masters, but this does not mean that they did not have superhuman teachers. The meeting with 'shamanic animals' itself indicates the kind of teaching that an apprentice might receive." This failure to distinguish between yarns about supernatural instruction and reliable historical reports about human instruction has obscured in Eliade's work the extremely important difference between two types of shamanism—one hierarchic and usually hereditary, the other charismatic; it has also obscured the almost equally important problem of the interrelation between these two types, the ways, for instance, in which charismatic shamans attempt [15] to transmit their powers (or, at least, their power) to their children, or a shamanic hierarchy adjusts to extraordinary powers in an outsider. These are serious faults of historical analysis. Equally serious is Eliade's acceptance of the stories about feats of the shamans of the good old days; for instance, in *Shamanism,* 254, 290: "The Eskimo remembers a time when the angakut were far more powerful than they are today. 'I am a shaman myself,' one of them told Rasmussen, 'but I am nothing compared with my grandfather Tiqatsaq. He lived in the time when a shaman could go down to the mother of the sea beasts, fly up to the moon,'" and so on—that is to say, the old man *either* had more fantastic hallucinations, *or* was a less inhibited liar; *or,* most likely of all, the stories of his feats had grown with time. It would be a matter of some historical interest to know which, or what combination, of these possibilities was the correct explanation. If hallucinations have actually become less adventurous as primitive groups have come into contact with civilization, or, if the influence of higher cultures has produced conscious caution in the inventions of primitive religious personnel, we should like to know more about the changes. But Eliade simply swallows the stories whole *(Shamanism,* 299, 500, etc.). What is worse, he goes on to make them into evidence for an historical process, an actual decline in shamanic powers, which makes it impossible for shamans now to fly through the air as they used to! *(Loc. cit.)* If by this he means an actual change in the content of the hallucinations to which shamans are subject, let him say so and let the question be investigated—if there is adequate evidence for an investigation. But it is worth remarking in this connection that both Homer and the Old Testament picture a world in which the powers of men in general have far declined from what they were in the good old days. Perhaps Eliade would accept their picture, too, but the fifth century B.C. author of the Battle of Frogs and Mice could already parody such stories in the spirit of historical criticism, making his hero frog lift a great mud ball "which not nine frogs of these degenerate days" could hope to move.

Actually, the most striking characteristic of Eliade's work on shamanism is its total and deliberate neglect of the importance of sham. This is characteristic of a great many works of contemporary anthropology and ethnology. It is a reaction against the unsympathetic, either dogmatic or rationalist, approach to primitive beliefs and practices which vitiated the work of many early observers. For good observation it is of course necessary to study with sympathy. But for good judgment it is necessary to regain objectivity. The study of religion is in this respect like the study of poetry. One must come to the material with what Coleridge called "that willing suspension of disbelief which constitutes poetic faith," or one will never feel the moving power which the material has, and one will never, therefore, be able to understand what the believers are talking about. But neither religions, nor even poems, exist *in vacuo.* Therefore, having [16] experienced what the ceremony or the composition has to offer, the historian, like the critic, must then be able to return from the world of imagination to that of fact, and to determine the relation of the poetic or religious complex to its environment in the historical world.

PART II

ANCIENT ISRAEL

CHAPTER TWO

THE COMMON THEOLOGY OF THE ANCIENT NEAR EAST

I.

[135] We have recently heard much about the importance of archaeology for the study of the Old Testament. Just because this importance is great, it should be described accurately.

The need for this caution is shown by the recent exaggeration of the importance of the material from Ras Shamra. That material is admittedly of great importance for the history of the Near East in the second millenium B.C., but for the understanding of the bulk of the OT, which dates from about the middle of the first millenium, it is somewhat less relevant than would be the material preserved in mediaeval French mystery plays for the understanding of the English deists of the early eighteenth century. Linguistically, the two groups are about equally distant,[1] but the fifteenth-century mysteries are much closer in time to the deists than Ugaritic literature is even to Isaiah, let alone Jeremiah or Deuteronomy.[2] From the mysteries to the deists there is a continuous development of a single culture, whereas between the Ugaritica and the OT lies the complete destruction of the

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[The copy of this essay in Smith's offprint file contains six marginal annotations by Hans Goedicke, plus one additional annotation in an unidentified hand. For various reasons I have decided not to publish these annotations: I cannot fully decipher two of them; they deal with specific points of detail (five of the seven apply to footnotes) and do not affect the overall thesis of the article; I assume that Prof. Goedicke did not intend his annotations to be published in their original form; I do not know how to determine which of these annotations Smith would have incorporated and which he would have rejected. Smith's own additions and corrections, have been included unsigned in brackets. The face of the offprint also contains several comments in Smith's hand, the two most germane of which are the following. In the first, Smith transcribes H. Frankfort, *The Birth of Civilization,* New York, 1956, p. 63: in Mesopotamia "the city, as soon as it became recognizable, appears as the property of one god, although other deities are worshiped there as well." The second note reads "For pagan recognition of the common theology see Aelian, VH 2.31, a fine proof passage." - SJDC].

[1] C. H. Gordon, *Ugaritic Handbook,* Rome, 1947 *(Analecta Orientalia, 25)* nos. 14.3-9 repudiates as unproved his former classification of Ugaritic with Hebrew as belonging "to the same subdivision (often called Canaanite) of the Northwest branch of the Semitic languages." He concludes that because of our ignorance of the exact relationship of the Semitic languages generally, it is impossible to determine the proper place of Ugaritic, which "has been grouped with everything from Heb. to South Arabic" and had best be treated "as a separate Semitic language."

[2] W. F. Albright, *The Archaeology of Palestine,* Harmondsworth, 1949, p. 187, says "all the datable texts from Ugarit belong to the first third of the fourteenth century." In that event, the poems contained in these texts can hardly be later than the fifteenth century B.C. This would put Ugaritic poetry about as far from Isaiah (late 8th cent.) as Isaiah was from Meleager of Gadara (1st cent. B.C.).

former culture by barbarian invasions.[3] However much the religion of the deists differed from that [136] of the authors of the mysteries, it yet preserved the same dramatis personae and the same sacred literature, whereas the striking thing about the religion of the Ugaritica is its almost total lack of any direct relationship to that of the OT. The weakness of the evidence which has been alleged as proving direct relationship is actually the best evidence against it. A few traces of Ugaritic mythology are found in OT poetry—but the striking fact is the rarity of such references, and when they do occur they are pieces of poetic imagery, probably of no religious significance.[4] A good deal of poetic jargon also found in Ugaritic is preserved in the OT, but much of it is the common jargon of most ancient Semitic poetry, and to be explained by the common linguistic and cultural background of that poetry.[5] At any rate, it does not prove the direct relationship of the religions: *Paradise Lost* is full of the poetic jargon of Homer. As for the evidence supposedly furnished by the preservation of proper names: Nothing can be clearer from the entire known course of Israelitic and Jewish history than the fact that, like most other peoples, the Israelites and the Jews preserved place names and adopted foreign names often without any knowledge of the original meaning, and often, when they did happen to know it, without any concern for it.[6] In sum: Ugaritic literature is of great importance for many aspects of ancient history, but its importance for the study of the OT is at best indirect and incidental, and the recent exaggeration of this importance is symptomatic: Had there been much that was really near, less would have been made of what was really remote.

All this being granted, however, the fact remains that to see the OT against a remote background is better (for historical purposes) than to see it against no background at all. Fortunately, many important fragments of such background as we have are now collected in the magnificent volume produced by Princeton,[7] and it seems therefore [137] worth-while to try to state in outline just how the theological material in that collection *is* relevant to the theological material in the OT.

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[3] W. F. Albright, *The Present State of Syro-Palestinian Archaeology,* in *The Haverford Symposium on Archaeology and the Bible,* New Haven, 1938, p. 23: "At the threshold of the Iron Age we enter a new historical world, in which the great nations of the Bronze Age seem incapable of making a constructive cultural effort, and in which Israel and Hellas play an increasingly important part." So also T. J. Meek, *Hebrew Origins,* revised ed., N.Y., 1950, p. 74, "Excavations in Palestine .... show a definite break between Canaanite (Late Bronze) and Hebrew (Early Iron) cultures, with a number of differences between them."

[4] W. F. Albright, *The Archaeology of Palestine,* Harmondsworth, 1949, p. 233, notes this lack of religious significance. See also p. 235. It is also noted by H. L. Ginsberg, *Ugaritic Studies and the Bible,* in *Biblical Archaeologist,* 8 (1945), p. 54, whence I have taken the comparison to the unimportance of classical mythology in English poetry. Contrast the theories of Dussaud.

[5] This is the opinion of Gordon, *op. cit.,* 17.4-13. What is true of poetic jargon is equally true of the forms of the poems, which have also been used as evidence of close relationship. Cf. Gordon, *ibid.* 13.98.

[6] For ignorance in the early period see the false etymologies in Genesis; for indifference in the late, the history of the name Isidore.

By "theological material" I mean that which describes a god (or gods) and his (or their) actions.

Now the striking thing about the theological material of the great majority of these ancient near-eastern texts is that, despite superficial differences, it shows one over-all[8] pattern, which is the following:

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[7] *Ancient Near Eastern Texts relating to the Old Testament,* ed. J. B. Pritchard, Princeton, 1950. Hereafter cited merely by page and column, e.g., 389 a means ANET, p. 389, col. a.

[8] Particular exceptions can be found to every one of the following points, but are not relevant to the argument, which is concerned only to describe the common pattern. This pattern is clearest in the Egyptian and neo-Babylonian material, it is least clear in the Hittite (as might be expected, since the Hittites, in race, language, social structure and environment stand rather apart from the majority of ancient near-eastern peoples, and it is here suggested that this pattern was largely a product of those causes. The Hittite pantheon, like Hittite society, seems to have been more feudal than those of the city states and centralized empires.) But it is contended that the pattern here described gives on the whole a correct account of the structure of belief expressed by the actual devotions to any one of the major deities, including the Hittite—so far as the preserved material enables that structure to be determined. (In some instances, of course, notably in Ugaritic, very little devotional—as opposed to mythological—material has been preserved, but if any arguments are to be made from silence, they should be rather for than against the common pattern.)

Two specifications in the above claim require special notice: one is *structure of belief,* the other, *major deity.*

Any great religion, considered in detail, presents such a bewildering mass of particular practices and convictions as to seem to defy classification, but classification is none the less possible. A comparison with anthropology may be useful here: The average man who lives among and is constantly concerned with the members of one racial group, will be the first to deny that they all look alike, and will be able to prove his point by reference to innumerable particular differences as well as by appeal to his own undoubtedly expert opinion; but the anthropologist will none the less maintain that certain structures are typical of this racial group. This paper, then, is concerned with the underlying structure of belief, not with the accidents of expression.

The structure of belief reaches full development only in the cults of the major deities. No doubt much of the popular devotion was to minor deities, either of unimportant localities (e.g. Meres-ger, 381 a-b) or specialists (e.g. Thoth, 379 a, 476 a). These, of course, were not usually exalted further than was necessary for the purpose of the worshiper. If the deity was by definition "He who does x," then, in calling on him to do x, one had only to remind him of his well-known power. But it should be noticed that, within their own limits, these minor deities remain true to the general theological pattern, e.g. Meres-ger (*v. supra*) punishes her servant when he transgresses, shows her power, and then, on his repentance, shows her mercy and heals him. Notice, too, that her servant is devoted to her and addresses her alone. So, for the scribe, Thoth is "my god" and "a shield about me," 676 a.

II.

Prayer and praise are usually directed to one god at a time,[9] and peoples and persons are often represented as, or appear to have been, [138] particularly devoted to the worship of a single god.[10] The mythology tells of many gods, of course—you can't have much mythology about a solitary being—and it accounts for many of the practices of worship[11]—no doubt because it was invented to do so. But the mythology seems rather a literary than a religious product. And just as it, for its own purposes, exploited polytheism, so prayer and praise, no doubt because of their own nature, are usually directed to one god at a time. This fact is characteristic of the rest of the theological pattern.

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[9] All of the Egyptian hymns and prayers (365 a to 381 b) are concerned with single deities (the Pharaoh, of course, is a god), so are all but one of the Sumero-Akkadian hymns and prayers (383 a to 392 b). (The composition entitled "prayer to Every God" should have been entitled "Prayer to Any God"—it is not addressed "to all gods in general" (p. 391 a), but to that *one* god or goddess whom the petitioner supposes to be punishing him or her, and it is significant that the petitioner takes it for granted that this unknown deity is singular.) Even when two deities are worshiped simultaneously, as Bel and Beltiya in the Akkadian ritual, the prayers and praises are directed most often to one or the other *singly,* 332 a-334 a; contrast the magical formula 333 b-334 a. So in the Hittite rituals (346 a-361b) though 9 of the 13 involve sacrifice or prayer to several gods *successively,* yet there are only 3 in which prayer is directed to several gods *at once.* So, too, of the Hittite prayers (393 ff.) only 3 (section b of the plague prayers of Mursilis, the "Prayer to be spoken in an Emergency" and the "Prayer of Arnuwandas") are really directed to many deities. The others, though several of them contain incidental references to a number of gods, are primarily directed, each one, to one single divine being. So, too, most of the prayers put in the mouths of mythological characters or found in the mythological material: The Hittite ritual in the Telepinus myth (126 b-128 b), such prayers as there are in the Gilgamesh epic, the prayers in the Etana story, the prayers in the story of the two brothers, etc.

[10] "King Apophis ... made him Seth as lord, and he would not serve any god who was in the land except Seth." King Seqnen-Re, on the other hand, "relies upon no god who is in the entire land except Amon-Re, King of the Gods." (231 b) The story is not historical, of course; what is historical is the fact that the author should consider such a procedure perfectly natural and use it as a point of departure for his story. Historical evidence of such behavior in Egypt is provided by the case of Akh-en-Aton. That his policy merely carried to an extreme a common tendency is suggested by many details, e.g., the practical absence, from the records of Thut-mose III (234 b ff.) of reference to any god save Amon (and, of course, Thut-mose III himself). Montu, the god of war, is occasionally mentioned, evidently by literary convention, but the actual direction of the war is wholly Amon's and there are dozens of references to him for every one to any other deity. Contrast the frequent appearances of Montu in the material of the next Pharaoh, Amen-hotep II. Outside Egypt, Mesha of Moab is almost exclusively devoted to Chemosh, Atrahasis has Ea as "his god" and "his lord" (106 a-b) etc. (see the refs. above, ends of notes 8 and 9). Other instances of cities or individuals especially devoted to the worship of a particular god are numerous, e.g.: Mesopotamian: Esarhaddon to Ashur 290 a ff.; Babylon to Bel 331 a; a priest to Bel 333 a; the poet to Ishtar (cf. the psalmist to Yahweh) 384 b f. Egyptian: Hermopolis to Thot 379 b, Heliopolis to Re 379 b; Karnak to Amon 380 a; Thebes to Amon, *ibid.* Hittite: Puduhepas to the sun goddess of Arinna 393 a; Kantuzilis to the sun god 400 b, a patient to Uliliyassis 350 a (and *v. inf.* end of n. 15).

[11] Myths explain rites or practices: 8 b-9 a, 10 b, 11 a-b etc.

The god being worshiped is regularly flattered—that is to say, exalted. Though he may occupy a minor position in the preserved [139] mythological works, yet in the worship addressed to him he is regularly represented as greater than all other gods.[12] It is often said that he created not only the world, but also the other gods.[13] He is the only true god; sometimes, even when worshiped in close connection with other deities, the only god.[14] This does not mean, of course, that he is actually thought to be the only god; the expression is usually no more than a form of flattery; only in a few special cases does it come to be taken literally. As a form of flattery it is often an expression of local patriotism,[15] which achieved it by a chain of exaggeration something [140] like this: Our god is the greatest of all gods, there is none other like him, there is none other.[16]

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[12] Mythologically secondary or derivative deities who are declared greatest of the gods or ruler of the gods: Ashur 298 a; Bel Marduk 62 a, 332 a f.; Enlil 337 b; Ishtar 383 a ff.; Isis 14 a; Nanna-Sin 311 a ff.; 386 a f.; Ptah 5 a; Shamash 387 a; the sun goddess of Arinna 393 b; Telepinus 397 a. [This practice extended to Persia and India; see R. Zaehner, *The Dawn and Twilight of Zoroastrianism,* New York, 1961, p. 147. The exaltation of the Fravashis in the Yashts "does not mean, as has sometimes been supposed, that there was a proliferation of 'high gods' throughout the Iranian lands, each of whom was supreme to his own particular group of worshippers; it means simply that the poets who composed these hymns were returning to a technique similar to that employed by the poets of the Rig Veda—a technique which is concerned with the exaltation of one particular god in any hymn addressed to him in such a manner that it would appear that he is surely the greatest of all the gods."]. These passages illustrate, but by no means exhaust, the common practice. Even commoner is the representation of a mythologically minor deity as greater in some particular than one of his mythological superiors. More attention should be given the passages in which a foreign deity is referred to as greatest of, or ruler of, the gods: Anath (in Beisan, but by an Egyptian) 249 b, Qedesh and Rashap (in Egypt) 250 b, Marduk (in an Assyrian document) 299 b, Marduk (for Cyrus) 315 b. In most of these instances it is clear that the author has adopted the conventional rhetoric of the god's professional servants, which was evidently very much the same all over the ancient Near East: Theology, in these expressions, is a by-product of politeness. Just so, when the eloquent peasant appealed to the chief steward, he called him "greatest of the great" and attributed to him omnipotence, 408 b.

[13] El is the "creator of creatures" (132 a ff.) but it is not certain that "creatures" here includes the other gods. The Akkadian creation epic has at least five universal creators: Apsu (61 a), Mummu-Tiamat *(ibid.),* Mother Hubur (62 b), Ea (64 a) and Marduk-Marukka (69 b) (cf. Marduk-Aranunna "creator of the gods, his fathers" and Marduk-Shugurim, 71 a-b). Elsewhere in the same literary tradition Anu and Mammi give birth to all the gods (111 a ff.). Yet again it is Nanna who did so, 385 a; again, Enlil, 50 b. I doubt that for the purpose of this paper it is worth while to distinguish between a "father" of the gods and a "creator" of them. The Hittite Kumbarbis is "the father of all gods" 121 b, ff. Atun of Heliopolis is either father or creator of all other deities, 3 a ff.; Ptah of Memphis created all other deities, 5 a-b; Re created all things, including the gods, 6 a ff.; etc. Notice that Re himself has a father, Nun, 6b, 11a, 13a. Here one sees clearly the conflict between mythology (to which Re is only one figure in a genealogy) and a local patriotism (which made him the supreme god and origin of godhead). Note 4 of p. 13 a recognizes this conflict but does not grasp its significance. (cf. the attribute of Marduk-Aranunna, above.)

[14] Bel is sole lord, 333 a; Nanna is unique, 386 a; Amon is unique in nature, 365 a, sole one, 366 b ff.; Aton is sole god, 370 b. Cf. the later Greek expression *εἶς θεὸς* —, which means approximately "—is a great god", *not* "—is the only god." [O. Eissfeldt, *El,* Berlin, 1951, p. 60, reaches the conclusion that, at least for some circles, El was not only the highest God, but "der Gott schlechthin ... dem gegenüber die anderen Gottheiten zwar schwerlich ihre Existenz, wohl aber ihre Bedeutung für den Frommen zu verlieren in Begriff stehen." See too p. 70 for parallels from Egypt and Babylonia.]

Such exaltation of the god being worshiped is motivated also by the worshiper's desire to convince himself that this god can grant his requests. Therefore this god has all power necessary to do what his worshipers ask (and this is the important thing; this granted, whether or not he has *all* power is an academic question sure to be answered in the affirmative sooner or later by the natural development of flattery.) His activity is by no means limited to his own land;[17] he regularly discomfits foreign enemies in their own territories, makes over foreign lands to his own worshipers,[18] or gives other lands (or even the lands of his own worshipers) [141] into the hands of foreign rulers.[19] Having created the order of nature, he not unnaturally maintains it (makes the crops grow, and so on),[20] but he can also change it by miracles. He maintains by rewards and punishments the moral order,[21] but he is independent of it and can pardon sin at will.[22]

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[15] So H. Ranke, in his note on a Ptah inscription, *Altorientalische Texte zum Alten Testament,* ed. H. Gressmann, Berlin, 1926, sec. 1, no. 4: "This is a typical example of local theology in ancient Egypt. In similar fashion the local divinity at Heliopolis and at certain of the other great temples of the country was set above all other divine beings and credited with their creation." The same process is visibly at work in Sumero-Akkadian hymns, but has not there achieved such full expression. Evidences of local loyalties, however, are numerous, e.g. Babylon's for Bel (331 a ff.), Nippur's for Enlil (455 b) etc. (see 53 b ff. and *inf.* n. 27). The intimate relation of Yahweh to a people rather than a place is paralleled most closely by the relation of Ashur to the Assyrians. The reader will, I trust, pardon the application of the term "local patriotism" to such tribal loyalties as well as to strictly local ones.

[16] Examples of this line of thought in various stages of development: 365 a-b (Amon-Re), 383 a (Ishtar), 386 a (Nanna), 71 b f. (Marduk), Exod 15:11 and Ps 50:1 (Yahweh). The final step in the process is to dispose of the other gods. This may be done by reducing them to parts or names or activities of the great god (as in Egypt, 4 a ff.), by reducing them to demons (as the Persians did, 317 a), or by denying their existence altogether (as did II Isaiah [and the Getae, Hdt. 4.94]). The choice of method was probably determined less by theology, or even by superstition, than by economic considerations. The various gods were sanctions of financial concentrations (esp. local temples) of which the beneficiaries were not inclined to deny their existence. It was probably the annihilation of such vested interests in Judea by the Babylonian conquest (they seem to have survived the attacks of Josiah) which cleared the way for II Isaiah's theological centralization. That, however, was too much for Jewish common sense, which might abuse the concepts of divinity formed by men of other traditions, but would not wholly deny their correspondence to some objective fact. Therefore in this point, as in others, Hellenistic Judaism did not follow II Isaiah consistently, but adopted various explanations of the pagan gods, e.g. it followed the Persians and was itself followed by Christianity in explaining that they were demons. The rhetoric of II Isaiah was preserved as a literary exercise but, even by the Rabbis, was transferred from the deities to the idols, v. S. Lieberman, *Hellenism in Jewish Palestine,* N.Y., 1950, p. 126, n. 60.

[17] Gods who are worshiped or said to exercise power outside their own lands (those starred rule the whole world, or all mankind): *Amon-Re 6 a ff. (All-Lord), 27 b, 237 a, 263 a,366 b ff. etc.; *Ashur 275 a, 281 b ff.; Anath, Astarte, Baal 250 a-b; *Aton 370 a ff.; *Bel-Marduk 72 b, 164 a, 309 a, 331 a ff.; *Enlil 50 b, 159 b, 337 b, 455 b, 481 b; The Hattian storm god 395 a; *Ishtar 383 ff.; Khonsu of Thebes 30 b; *Nanna 385 b; Ningirsu 269 a; Qedesh and Rashap 250 a-b; *Shamash 116 b, 387 b ff.; The storm god of Nerik 400 a; *The sun goddess of Arinna 392 a-b; *Telepinus 397 a. This list has no pretention to completeness.

He is regularly described by comparisons with the most conspicuous or the most powerful objects known to the culture, for instance, the sun,[23] the father,[24] the king[25] and the bull.[26] His minor attributes are usually those of the objects to which he is compared: As bull he is noisy, violent and fertile. As the sun he is glorious, perfect in beauty, the source of light and knowledge, the enemy of darkness, ignorance and falsity, the witness and judge of all that is done on earth. He is the father and king of his people,[27] his child,[28] whom he especially favors. The human king [142] is his son,[29] servant,[30] or favorite,[31] whom he especially protects. But he also protects ordinary men, cures diseases and grants other material favors,[32] cleanses sin,[33] and comforts the afflicted.[34] In short, the god described by prayer is everywhere the god who will do the things which are most prayed for by the people who have most cause to pray.

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[18] Amon-Re to various Pharaohs 23 b, 248 a f., 251 a, 263 b. Enlil to Sargon 267 b. The Assyrian rulers regularly claim to be "king of the world ... king of all the four rims of the earth" 274 b ff., and their kingship is ordained by the gods, esp. by Ashur, who also specifically orders their foreign conquests 275 a ff., and helps them in the conquering 275 b ff. The Assyrian formulae were taken over by the neo-Babylonians (vestiges in 307 a and—applied by Cyrus to Nabonidus?—in 315 b) and by the Persians (316a) who at first claimed to hold them from Marduk *(ibid.)*, later from Ahuramazda (316 b).

[19] Amon gives Egypt to the kings of Cush, 448 a. El is the god of Udum, but gives it to be harassed by Keret, 144 a. The Hattian storm god "brought people of Kurustama to the country of Egypt," 395 a. "Marduk ... beheld with pleasure his (Cyrus') good deeds ... and therefore ordered him to march against his (Marduk's) city Babylon ... going at his side like a real friend." 315 b. See also n. 49 below.

[20] Gods who maintain the order of nature: Amon 366 b ff.; Aton 370 a ff.; Bel Marduk 71 a, 332 b f.; Nanna 386 a; Shamash 389 b; Telepinus 397 b.

[21] Gods who back up the moral order by rewards and punishments: Amon 380 a-b; Ashur 300 a; Bel-Marduk 70 b f., 316 a; "The god" of Amen-em-opet 421 ff.; "God" in Ahikar 429a-b; Hittite gods generally 355 a; Shamash 388 b f.; Telepinus 397 a. Other refs. *inf.* notes 35, 39, 43, 44.

[22] Gods who pardon sin: Amon-Re 379 b f.; Bel-Marduk 310 a, 390 a-b, 436 b; the Hattian storm-god 395 b; Ishtar 385 a; Sin 386 b. It is necessary to emphasize again that these lists are intended to be exemplary, not exhaustive, and that considerations of economy have necessitated their reduction to a minimum. Note also that they are derived from a small (but representative, or so the editors claim—pp. xiv ff.) selection of the total material. One should not, therefore, on the basis of these, exaggerate the difference between, say, Ishtar who pardons sin and Shamash who punishes it. As a matter of fact Shamash also pardons sin (117b) and Ishtar punishes it (385 a) but, in the list above, only the most typical passages were cited. This note is intended to forestall any attempt to refute the argument of this paper by splitting up the major divine functions among various specialists. As a matter of fact, most of the major deities have most of the major functions. Consequently I have tried to give full illustration only of attributes frequently denied to the original Yahweh.

[23] Gods identified with or compared to the sun: Amon 365 a ff.; Aton 370 a ff.; Bel-Marduk 331 a ff.; Ishtar 384 a-b; Shamash 387 a-b; Sin 386 b; Telepinus 397 a.

[24] Gods as fathers: Amon 365 a ff.; Anu 390 a; El 143 a ff.; Enlil 72 b, 390 a, etc.; the Hattian storm god 357 a-b; the Hattian sun god 401 b; Nanna 385 b; Telepinus 397 a.

[25] Gods as kings/queens: Amon 15 a ff., 365 a-b; Anu 101 b; Ashur 281 b; Ea 108 a; El 133 a; the Hittite gods 120 a-b; Ishtar 383 b f.; Marduk 307 a, 332 a; Nanna 385 b.

[26] Bulls: Amon 16 a, 365 a; El 129 b ff.; Enlil 455 b; the Hattian storm god 398 b, Horus 244 b f.; Ishtar (!) 384 b; Nanna 385 b.

But as father and king, the god of worship is just[35] as well as merciful,[36] an object—not to say an objectification—of fear as well as love.[37] His justice has accordingly expressed itself in the law, both the law of his cult[38] and the law of the land,[39] which he has given or caused to be [143] given. The law of his cult provides that his worship shall be conducted, frequently under the supervision of a special priesthood, by sacrifices which are often strikingly similar from one country to another,[40] and with the observation of tabus which vary from place to place but show a general similarity of attitude toward the divine.[41] The similarities of ancient codes of civil law are too well known to need description, and their practical independence is well recognized.[42] But it should be [144] noticed that everywhere the civil law, like the cult law, is the god's law, and an offender against either is an offender against the god.[43]

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[27] His/her land/city/people: 365 a ff., Egypt, of Amon; of Aton 370 b; 369 a Heliopolis, Thebes, Memphis; 347 b, 398 a Hatti land, of the storm god; 393 b Hatti land, of the sun goddess; 390 b Nippur etc., of Bel-Marduk. See also above, n. 15.

[28] Egypt is the only daughter of Re, 377 a.

[29] Sons: Adapa 101 b; the Hittite king 357 a-b, Keret 143 a ff.; the Pharaoh (of Amon-Re) 4 b, 23 b, etc. (Ramses II claimed to be the son of Montu 256 a, and Seth 257 a, as well as Re, 257 a. In such instances the purely conventional—i.e. rhetorical—nature of the relationship is clear.)

[30] Servants: The Assyrian kings regularly execute the order of Ashur 275 a ff.; Hammurabi, of Anum and Enlil, 164 a, of Marduk 165 b; Kantuzilis, of the sun god, 400 b; Keret, of El, 144 b; Mesha, of Chemosh, 320 b; Mursilis, of the storm god, 394 b ff., of Telepinus, 396 b; Nabonidus, of Marduk, 310 b; Nebuchadnezzar, of Marduk, 307 a; Sargon, of Ishtar, 267 b.

[31] Favorites: Cyrus 316 a, Esarhaddon 289 a, Hammurabi 270 b, Mursilis 203 b, Nabonidus 313 a, Ramses II 199 a, Thut-mose III 235 b.

[32] Gods who cure diseases or do other material favors: Amon-Re 369 b, Bel-Marduk 70 b, the Hittite gods generally 352 b, Ishtar 384 a, the sun goddess of Arinna 393 b; Tarpatassis 348 b, Telepinus 397 a.

[33] See above n. 22.

[34] Gods who comfort the afflicted or help the poor and oppressed: Amon 366 a, Ishtar 383 a, Marduk 436 b, Shamash 391 a, Telepinus 397 a.

[35] This is true not only of gods who are singled out as judges, e.g., Osiris 34 a, Shamash 178 a, Yamm 130 a; but also of the major gods generally, e.g. Amon is the source of truth 372 a, and requires truth 381 a; slander and false accusation are "disliked by the gods" of Assyria 289 a, baseness is an abomination to Ashur and Marduk *(ibid.)*; further: Bel 70 b, the Egyptian gods generally 410 a, Sin 386 b, Telepinus 397 a. The justice of the gods appears especially in the actions of those who serve them. (E.g. the gods made Hammurabi king that he might establish justice, 704 a; and the messiah, as servant of the Egyptian gods, will establish justice, 446 a.) Also, in the claims of those who seek their favor. (E.g. the Egyptian "Protestation of Guiltlessness," 34 a-36 b, concludes, "I have done that which men said and that with which gods are content. I have satisfied a god with that which he desires. I have given bread to the hungry, water to the thirsty, clothing to the naked ... I have effected justice for the Lord of Justice.") See further the evidence cited above, n. 21, and cross refs. there.

[36] See above ns. 22 and 24.

[37] Fear: Amon 11 a, Anum and Enlil 164 a, Ashur 285 a, Hittite gods generally 394 b, Ishtar 384 a, Marduk 69 b.
Love: Amon 366 a, Bel-Marduk 332 b f., the Hattian sun god 400 a f., Ishtar 383 a, Shamash 388 a.

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[38] Gods who establish cults or cult laws: The Akkadian gods generally 43 b; Ea 68 b; Marduk 69 a f., 311 a, 316 b; Nanna 385 b; Ptah 5 b; Telepinus 397 a.

[39] Sumero-Akkadian kingship is of divine institution 43 b, 265 b; Egyptian likewise 4 b f., 17 a. Gods as givers of civil law or legal decisions: Bel 331 a; Ishtar 384 a; Shamash 388 a ff.; Shamash, Sin, Adad and Ishtar 391 a. Egyptian law is inadequately represented in ANET, as in the remains, but the Pharaoh appears elsewhere as the establisher of the laws given by the gods, e.g., H. I. Bell, *Egypt,* Oxford, 1948, p. 57 (Philometor I, where the title is a dynastic hand-me-down). The goddess Maat (" Truth" or "Justice") will not rest unless the king's decrees be enforced, 213 a and n. 2 *ibid.* "The good ruler, performing benefactions for his father (Amon) and all the gods," is one who sets up justice, 251 b. For Queen Hat-shepsut's statement that the Asiatics "ruled without Re, and he did not act by divine command down to the reign of my majesty" (231 a) the translator *(ibid.* n. 4) proposes Gardiner's explanation that the Pharaoh "ascribed all his official acts to obedience to orders given him by the deity." This is what would be expected, given the practice elsewhere in the ancient Near East. All the law codes of ancient near-eastern origin to which we have coherent preambles state in them the divine authorization of the law. Lipit-Ishtar "established justice in Sumer and Akkad in accordance with the word of Enlil," 160 b; Enlil called him "to the princeship of the land in order to establish justice in the land." *(ibid.)* The bas-relief at the top of the Hammurabi stela shows Shamash giving either the law or the order to write it. The prologue says, "Anum and Enlil named me ... Hammurabi, ... to cause justice to prevail in the land, to destroy the wicked and the evil, that the strong might not oppress the weak." 164 a. The conclusion says, "By the order of Shamash, the great judge of heaven and earth, may my justice prevail in the land; by the word of Marduk, my lord, may my statutes have no one to scorn them." 178 a.

[40] Egyptian bread offerings 416 a, oblations 417 b, incense 420 a, animal sacrifice 36 b, 327 a, 417 b, 447 a. El commands the sacrifice of sheep, goats and turtle doves, and libations of wine and honey, 143 b. Hittite sacrifices involve the same general materials, though the rites seem to have been peculiar, 348 a ff. The similarities of the sacrificial cult of Uruk to that described in the P material of the OT are clear, 343 a ff. Even of later times, when the Jews were self-consciously insisting on their difference from the heathen, Lieberman can remark *(op. cit., p.* 130), "There was a general pattern in the ancient world of temples and sacrifices ... which the Jews shared."

[41] The pig an abomination to the Egyptians, 10 b; Sumero-Akkadian tabus 117 a (eating abominations), 344 b (materials tabu in the service of particular deities). Hittite tabus 207 b ff., 400 b. Later parallels, Lieberman, *op. cit.,* 164 ff., esp. 169.

[42] T. J. Meek, ***Hebrew Origins,*** revised ed., N.Y., 1950, p. 74, finds Hebrew law closest to Canaanite (doubtless because so little is known of the latter) and the relation even between these one of gradual and indirect adaptation. It may be questioned whether even this be not an overstatement of the importance of the connection, for the details in which Meek finds clearest evidence of the influence (pp. 70-73, e.g. the law of the goring ox, with its recognition of the special case of the ox known to be dangerous and its substitution of a fine for a death penalty) easily admit of explanation by common cultural background and by the generally consistent pattern of cultural change from primitive societies in which death is primarily an occasion of expiation and purification, to more advanced ones, which are more concerned with the financial loss it occasions.

Now—since the gods were like men—it was expected everywhere that a god would punish men who offended him and would reward those who did what he wanted;[44] this, moreover, was what he was for. And since he was everywhere thought to want sacrifices,[45] it was also by sacrifices that men sought to placate him when they thought they had offended him or to secure his good will when they wanted special favors. The *do ut abeas* and *do ut des* relationships are found in all countries of the ancient Near East. But since everywhere the major deities demanded other things beside sacrifice, it was natural that the different ways of pleasing them should sometimes be contrasted, and that there should be some individuals who decided that it was better not to sin in the first place than to sin and offer sacrifice, or who maintained that the sacrifice of a wicked man was less pleasing to god than the prayer of a righteous one.[46] Moreover, since religious observance, whether of moral or of ritual requirements, naturally lends itself to abuse by the temperamentally scrupulous (in psychological jargon the 'compulsives'), it is not surprising that everywhere there were some who came to advocate a righteousness greater than that required by law.[47] Naturally, such individuals were rare, and there was no such economic interest to preserve their works as that which preserved works embodying the priesthood's doctrine of atonement by sacrifice; consequently there is no reason to believe that the earliest preserved instances of their opinions are the earliest which actually occurred. Individual perfectionists, like individuals with other psychological abnormalities, are regularly produced and neglected by every large society. [145]

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[43] The "Protestation of Guiltlessness," 34 a ff., contains both civil (B 2, 4, 5) and ritual (A 21, 34) offences. Evildoers, whatever the evil, violate the law of Re, 8a. Those who neglect to punish the wicked will themselves be punished by the god (Shamash) 117a. The law of Hammurabi is the law of Shamash, 178 b. See above, n. 39.

[44] Gods punish offenders: Ashur 300 a, the Egyptian gods generally 251 b f., Enlil 95 a, the Hattian sun god 400 b, Hittite gods generally 208 a, Marduk 266 b, 315 b. For the general presupposition see esp. the prayer to any god or goddess, 391 a ff. (cf. *sup.* n. 9).

Gods reward their worshipers: Ahuramazda 317 a, Egyptian gods (even non-Egyptian rulers) 27 b, Hittite deities 396 a, Marduk 315 b.

See also above, n. 21.

[45] Gods want sacrifices: Akkadian 117 a, Egyptian 36 a, Hittite 124 a.

[46] "The Instruction for King Meri-ka-Re" 417 b.

[47] "The Instruction of Amen-em-Opet," the *locus classicus* of this "higher morality" has every appearance of having been produced by long accretion. The same tradition has also furnished most of the items in the "Protestation of Guiltlessness" 34 a ff. For similar developments in the Mesopotamian tradition cf. 426 b (recompense evil with good) and 430 b (resist not evil and Shamash will reward you).

As against such eccentrics, most people were probably content to believe that rewards and punishments were given, whether to individuals or to the whole people, according as men obeyed or disobeyed the usual social and religious codes of the society. The relation between people and god was therefore always essentially a contractual one, and the question as to when it was first given dramatic expression in a formal contract is one for the history rather of rhetoric than of theology.

Because of their contractual relationship with the gods, people gave attention to the prophets who everywhere[48] claimed to know by revelation the country's state of obedience or disobedience and the rewards or punishments soon to be allotted. (All the major prophets—i.e. those whose works have been preserved in quantity—prophesy change. Why? In the first place, because change is 'news'; the prophet was the newspaper editor of his day, and if he had no news he got no audience. In the second place, because change always comes, and those prophets who foretold a continuation of the old order were sooner or later discredited. Of course, given the common theological structure outlined above, change, if for the better, was conceived as divine reward, if for the worse, as punishment.) Now the punishment of a society has to be effected by drought or flood, famine, pestilence, internal discord, or defeat by an enemy.[49] Therefore the prophets everywhere ring the changes on these five themes,[50] supplement them by threats of miracles—usually earthquakes and eclipses—and sometimes even foretell that if the people continue in their wickedness their god will utterly destroy them.[51] Likewise, the good things they prophesy are merely the reverse of these, except that, in place of the earthquakes and eclipses, they often foretell, as something no less miraculous, the coming of a good king who will save his people.[52] [146]

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[48] Oracles of Bel 331 a, prophets in Egypt 30 b and n. 19 *ibid.*, but the presence there of prophets in the ordinary sense of the word is known from references to prophecies (416 a) and from the prophecies themselves (441 a ff.). Prophets of Baal and Astarte in Egypt 250 a, n. 13; Assyrian kings act on oracles of Ashur 275 a ff. Prophets (ecstatics) in the Gilgamesh epic 87 a; Hittite prophets 396 a; oracles of Shamash 388 a; of Sin 386 b.

[49] The Egyptian gods punish Egypt by military defeat 251 b; "God Enlil .... gave the accumulated possessions (of his city) to the enemy" 337 b; Marduk punished his land by subjecting it to Assyria 309 a, he subjects it to Cyrus 315 b; the Hittite gods leave their land to its enemies 396 b; Omri "humbled Moab many years .... for Chemosh was angry at his land." 320 b. The other punishments are too common to illustrate, see the following note.

[50] See the oracles and prophecies collected on pp. 441 ff. *passim.*

[51] Enlil 481 a, the coming destruction of Babylon, *Cuneiform Texts,* 13.49. Egypt is to be destroyed so thoroughly that Re must found it anew, 445 a. [Also, it has pleased gods in the past to destroy their countries, e.g., "to subvert the ways of Shumer" (Frankfort, *Before Philosophy* 213).]

III.

Such was the common theology of the ancient Near East—and not only of the ancient Near East, but of most periods and countries where polytheism has been the religion of civilized peoples. In describing it I have discussed only its appearance in the ancient Near East, because that alone is usually referred to in the study of the OT, and I have tried to suggest how, for psychological, social and rhetorical reasons, it might have developed independently in any ancient near-eastern country. That it did develop independently in each is strongly suggested, I think, by the uniformity of the results, which can be explained better by postulating relatively uniform causes, that is, social, psychological and rhetorical patterns, rather than accidents of historical transmission. The interaction of these patterns produced a single 'pattern for major deity' to which every deity who in that area and time became major had more or less to conform, whatever the historical or mythological accidents of his ancestry.

Consequently, parallels between theological material in the OT and in 'Ancient Near Eastern Texts' cannot be taken off hand as indicating any literary dependence, common source, or cultural borrowing. The number of instances in which the OT has hitherto been supposed to depend on foreign sources—small though that number is—is probably too large. It is only when the texts are parallel in some peculiar, accidental detail, something which *cannot* be explained as a probable product of natural development, that the parallelism can be taken as *proving* literary connection.

The knowledge of this general pattern should serve as a guide and a caution in OT studies. It should serve as a guide by making clear the peculiarities of the OT, the points which need special explanation—for instance, Yahweh's abnormal jealousy and the almost complete neglect of the underworld. It should serve as a caution, not only to those who would discover foreign influences everywhere, but also to those who think it possible to reconstruct the history of theological thought in Israel and then detect and date interpolations by the stage of theological development which they show. In the first place, this procedure depends on arguments from silence, and the OT probably contains so small a selection of the literature of ancient Israel that arguments from silence are utterly untrustworthy. In the second place, it is possible that there never was any major theological development in Israel, that there were only shifts of emphasis and occasional working out of corollaries. The [147] system above outlined is essentially that of Philo as outlined by Wolfson,[53] but it is quite primitive enough to have been held by a tribe of nomads, and there is no good proof that the Israelites in their nomadic period did not hold it. To suppose that Yahweh's control of foreign nations began with Amos[54] is to neglect the deliverance from Egypt and the conquest of Palestine. To suppose that Yahweh's concern for morality began with Nathan[55] is to neglect the divine backing of the law, which is characteristic of such primitive legislation as that from which the present legal documents of the OT must have developed. As for the famous 'discovery of monotheism' by second Isaiah, that was probably not a discovery of monotheism, but an exaggeration of patriotism. Two things, at least, are certain: It has patriotic precedents and it was used for patriotic purposes. No sooner was the God of Israel declared to be the only God than he promised Israel the hegemony of the world. If this be philosophy it is puzzling, but if it be patriotism it may be primitive. In that event the fact that God's rule of the whole world had never before been *so much emphasized* could be explained on practical grounds: As to power, the attribute of the god of Israel was merely that of the major god of any ancient near-eastern people, viz., to be greater than the gods of their neighbors. Thus when he gave them Canaan he was greater than the gods of the hill cities, when they fought the Philistines he was greater than Dagon, when they were established as a kingdom he was greater than the gods of the adjacent kingdoms, and when they were scattered in a diaspora from one end of the known world to the other, what was left for him but monotheism?

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[52] Hat-shepsut claims to be the fulfillment of a messianic prophecy, 231 a. Several examples of such prophecies, 445 b-452 b. It is hard to decide whether the customs at the accession of a new ruler imitate these prophecies more than the prophecies imitate the customs, or vice versa. For the customs—or, at least, the court rhetoric—in Egypt see 378 b f., parallel Assyro-Babylonian material in R. F. Harper, *Assyrian and Babylonian Letters,* vol. 1, Chicago, 1892, no. 2.

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[53] H. A. Wolfson, *Philo,* Cambridge, 1947. By "system" I refer, of course, to Philo's foregone conclusions, not to the philosophy with which he justified them.

[54] This supposition is made by R. H. Pfeiffer, *Introduction to the Old Testament* N.Y., (1948), p. 580, "Like other religions of antiquity, the religion of Israel before Amos was national in its appeal. Jehovah was the God of Israel, his jurisdiction limited to the land of Israel." Amos, because he extended Jehovah's jurisdiction over all nations, "marks the beginning of a new era in the history of religions." *(ibid.,* cf. notes 18-20 above.)

[55] R. H. Pfeiffer, *op. cit., p.* 359, thinks the teaching, put in the mouth of Nathan (2 Sam 12), "that Jehovah would not tolerate criminal actions and that his worship involved moral conduct" ... "was truly revolutionary in the time of Solomon, when Jehovah was merely champion of Israel and still approved of bloody deeds as treacherous as those of Ehud (Judg 3:20 f.) and Jael (Judg 5:25 f.), and even later, through Elijah and Elisha, sanctioned the assassination of kings (1 Kings 19:15-17; 2 Kings 9)." To suppose a god indifferent to morality because he approves the murder of national enemies or of the patrons of his competitors (or because of his personal peccadilloes as recorded in mythology) is to misunderstand not only ancient, but a good deal of modern religion.

CHAPTER THREE

ON THE DIFFERENCES BETWEEN THE CULTURE OF ISRAEL AND THE MAJOR CULTURES OF THE ANCIENT NEAR EAST

[389] Among the many facets of Professor Gaster's work, one of the most brilliant has been his exposition of ancient Near Eastern literary and religious material cognate to that in the Old Testament. Accordingly, it seems appropriate here to comment on the general problem raised by such exposition—that of determining the relation between the culture of the Israelites and those of the other peoples of the Near East.

Apart from homiletic generalization, the easiest, and perhaps most common, approach to this problem has been the demonstration of particular similarities between details of the Old Testament and of other ancient near eastern works. This presents no difficulty: only one instance on either side is needed to prove a positive statement. Consequently a great many such similarities have been pointed out, and it is high time that someone made a full collection of them either in the form of a commentary on the Old Testament like Gaster's *Myth, Legend, and Custom,* or in that of a systematic work like de Vaux's *Ancient Israel* with an additional section on literature.

However, when it comes to the question of the differences between Israelite culture and that of the other countries of the eastern Mediterranean, the problem is much more difficult. It is immediately obvious that there are great and important differences between the works in the Old Testament and those of other Near Eastern literatures, but it is not clear how far these literary differences represent differences of the underlying cultures. In the first place, we encounter a logical embarrassment. To demonstrate differences usually requires the proof of negative propositions, and proof of a negative calls for a knowledge of the entire literature in which the occurrence of a given trait is to be denied. Such knowledge, however, is practically unobtainable so far as ancient civilizations are concerned, since the material preserved, from even the best known, is only a tiny part of what must once have existed.

Consequently, the usual procedure in trying to demonstrate differences between Israelite and other Near Eastern cultures has been to hedge statements about traits not found, by expressions such

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as "in the preserved material," or "it must have been, if it did occur, extremely rare." This procedure is by no means unjustified since the difference between [390] frequent and infrequent traits is often more important than are traits which occur only in one culture and not at all in another.

However, the question of frequency leads to another and much more serious problem: neither the literature in the Old Testament nor the other Near Eastern literature that has come down to us can confidently be supposed an average sample or cross-section of the culture it came from. The Old Testament, as I have argued at length in *Palestinian Parties and Politics,* contains a body of material carefully selected and preserved by the continuous manuscript tradition (and revision) of a series of partisan groups for their peculiar (and often unpopular) purposes. For the other Near Eastern countries we are at the mercy of archaeological finds which, especially in Egypt, give us mostly the documents of the royal temples, the royal monuments, and the tombs of the rich. How far, then, is the apparent difference between Old Testament material and that of the other Near Eastern countries due to the difference of the ways in which the material has been preserved and, consequently, to the difference of the social classes represented?

The purpose of this paper is to suggest, as a means of attacking this problem, the use of the "hypothetico-deductive" method (so called by H. A. Wolfson, who developed it), and to sketch some of the hypotheses this method would propose for investigation.

The method can be described briefly and simply: to determine the situation as precisely as possible, ask what could have happened, and take the various possibilities as hypotheses to be confirmed or refuted by research.

In the attempt to determine the relation between Israelite culture and the other cultures of the Near East, this method dictates that we first determine the differences between the specific situations, geographical and historical, of the Israelites and their neighbors, and then inquire into the cultural differences which might be expected to follow as consequences of the historical and geographical distinctions. For purposes of clarity, let us confine ourselves to the major and most clearly characterized of ancient Near Eastern cultures, those of Mesopotamia and Egypt.

Aside from the patriarchs,[1] we know the Israelites as a people or group of peoples who, in the late thirteenth century and thereafter, were found in the hill country on both sides of the Jordan valley, but mainly on the western side. From their traditions it would seem [391] that they came into this country as invaders from the south and east. Once in it, they lived in small cities, in villages, in tents and caves in the countryside, and supported themselves mainly by farming and herding. They did a good deal of fighting, not only with each other, but also with their neighbors—at first with the other inhabitants of the hill country and the great valley of Galilee, later with the Philistines of the coastal plain and with the Edomites, Moabites, Ammonites, and Syrians who held the plains of Transjordan to the south, east, and north. The northern Israelite tribes were conquered by the Assyrians in 722, the southern retained nominal independence until the Babylonian take-over in 587. Given this historical and geographical situation, what characteristics should distinguish the culture of this people from that of the major states of Mesopotamia and Egypt?

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[1] The patriarchs belong to the field of mythology rather than to that of history, as do Gilgamesh, Hercules, Theseus, Helen of Troy, and their likes. This is not to say that no such persons ever existed, but it is to say that the stories about them have been so deformed by centuries of oral tradition that they belong to the class the Greeks called

Let us begin with food, since it is the primary concern of man. To get food, a predominantly agricultural people must have land, water, air, sunlight, and the normal climate. Air, sunlight, and so on can be taken for granted, and therefore generally are. Adults in religion are much like children in the family: they concern themselves mainly about contingent benefits. Those necessary conditions of life that are regularly supplied by the parents or the gods are usually taken for granted. It is only in places like southern Mesopotamia, where combinations of flood, typhoon, and sandstorm can sink the whole landscape under water, blot out the sky, and seem to threaten the whole structure of the world, that rituals to reestablish or preserve the cosmic order should be expected to arise. Even if we did not know where the Biblical flood story came from we could have supposed with confidence that it did not originate in the hill country of Palestine. Floods in hill countries never threaten to cover the world

Land, too, might seem a thing to be taken for granted, but within Israelite memory it had not been so, and not only prophetic, but also political foresight could anticipate that it might cease to be so. The

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mythoi. When history developed in Greece (where, as Pausanias shows, oral tradition was long lively) authors found themselves confronted by many such stories. They soon and sensibly came to distinguish between those parts of the past which could be ascertained by *historia* (which means, 'investigation') and those they knew about only from *mythoi.* The latter is the proper domain of *mythology.* We should do well to continue using these words in their original and proper senses. The notion often expressed by writers on the ancient Near East, that "myths" have only to do with gods, is neither justified by the history of the word, nor defensible in discussion of a literature where gods and men live together. Gilgamesh was two-thirds god and one-third human; is his story two-thirds of a myth? The Dioscuroi were mortal and immortal on alternate days; is the story of castor a myth on Monday, Wednesday and Friday, but a legend on Tuesday, Thursday and, at the pleasure of the hero, Saturday?

anticipation probably became acute after the revival of Assyria under Tiglath Pileser III and the attendant development of the Assyrian policy of deportation. Since the gods of ancient peoples normally helped them in their wars of aggression and conquest (a pacifist god in the ancient Near East would be no less anomalous than a bellicose clergyman in Greenwich Village), we should expect that the Israelites would regularly refer to their land as that which their god had given them—that is, enabled them to conquer—and would celebrate their god as the giver, rather than the creator, of the land. Whether or not they thought he had created it, the creation was comparatively immaterial to them; the important thing was the giving, the conquest. So we should expect myths of creation to be less important in their literature than legends of the conquest.

Conquest usually carries with it a certain uneasiness in possession. Others can conquer, too. Therefore it would not be surprising if the notion early arose that, should their god be angered, he might revoke his gift. But the notion that divine anger immediately threatens to lead to the punishment of exile is not likely to have arisen until there was a real and present danger of such a punishment—that is, after 745. And it seems likely that neither of these themes would have played a large part in the literatures of Mesopotamia and Egypt, where the bulk of the population neither looked back to a conquest nor forward to an exile, being too long established for the one and too large for the other.

Given the land, the remaining necessity for food is water. In Palestine this is, of course, the most uncertain. Even the Deuteronomic authors recognized the difference from Egypt—but they tried to make a virtue of it: [392]

> The land you are going to inherit is not like the land of Egypt from which you went out, where you sowed your seed and had to water it by your own labor, like a vegetable garden; but the land which you are going to inherit is a land of mountains and valleys that drinks water from the rain of the heavens, a land of which Yahweh your God is mindful; the eyes of Yahweh your God are on it from the beginning of the year to the end of the year (Deut 11:10f.)

Amos was more faithful to the actual situation and attributed it to divine anger: "I denied you rain . . . and I made it rain on one city, and on another city I did not send rain . . . and two or three cities migrated to one city to drink water and did not find enough" (4:7f.). In brief, Egypt lived from floods, Mesopotamia was threatened by them, while Palestine was threatened by drought. In Palestine, therefore, we should expect a major function of the deity to be the sending of rain, the rain itself to be a major form of divine reward, and the denial of it, of divine punishment. None of these characteristics of Palestinian culture should be prominent in either Mesopotamia or Egypt.

The rain in Palestine falls on hills that are largely limestone and similar materials; consequently, another characteristic of the country and the culture is the frequency and importance of springs and of caves. The many place names containing the words 'spring' or 'well' testify to the importance of such permanent centers of water supply as political and cultic centers. The caves, on the other hand, not only housed the poorest class of the population and were convenient for shepherds and their flocks, but also offered places of refuge from foreign conquerors or from domestic tyrants. David fled to one from Saul, Elijah to another from Jezebel. Although we have reports only of a few cases, it does not seem unlikely that the unusual spirit of independence vis-a-vis the country's established authorities, the constant criticism of the kings and the priests, that runs through Israelite literature owes a good deal to the facilities afforded malcontents by a hilly and cavernous country.

The hills were, in general, the limit of Israelite territory. Indeed, on one occasion, when a Syrian invasion had been defeated, "the ministers of the King of Syria said to him, 'The Israelites' gods are gods of the mountains, therefore the Israelites defeated us; so now let us fight them in the plain, we shall certainly defeat them'" (1 Kgs 20:23f.). The Israelite author who reports this opinion reports also that Yahweh proved it false by defeating the Syrians in the plains, too. Be that as it may, the story points to a conspicuous characteristic of Israelite culture and cult. Given the general human notion that up is good and down is bad (perhaps derived from the fact that in infancy the Great Powers—our parents—were usually above us), and given a mountainous country, we might expect to find that the gods are thought to live on certain mountains, that these and other mountains are the favored sites of revelations and of miracles, that holy men are said to have gone up mountains to die, that the popular worship was commonly conducted on hill tops and other high places, and, in cities, on roof tops, and that the chief official sanctuary, though on a very modest hill near the capital, claimed to be on a mountain and, eventually, on the highest mountain of them all. None of these traits should be characteristic of the culture of Egypt or Mesopotamia—or at least of lower Mesopotamia (here Assyria might well diverge). When in lower Mesopotamia one finds an equation of the temple with a mountain, attempts to build artificial mountains, and the like, it would seem plausible to suppose that these traits were not native to the culture, and to look for some outside source, as one does for the traits imported from the desert into Palestinian culture by the Israelites.[393]

The mountainous character of the country should be reflected in many characteristics of the culture and the literature. To begin with a comparative triviality: olives and vines thrive better in the hills than in the plains of Mesopotamia and Egypt, accordingly their products and the imagery based on them, especially on wine, should be more important in the Palestinian tradition. How trivial such matters actually are is hard to decide when one thinks of the enormous range of the consequences of imagery: would the eucharist have had the same evocative power if the fluid in the cup had been beer (the common drink of Egypt and Mesopotamia)?

More important is the simple fact that the mountains break up the country—and the deep Jordan valley breaks it even more sharply—into tiny and comparatively isolated segments. Each little valley had to be conquered by itself, therefore had a history of its own, therefore might have a population of its own. Israelite tradition represents the land as inhabited, before the conquest, by six or seven or even ten different peoples. And the Biblical authors lament that this condition was not fundamentally changed by the conquest. The Israelites were added as one people more and eventually became the majority of the ruling class throughout the hill districts, but the other peoples are said to have lived on as distinct groups down to the time of Solomon, at least. Moreover, even if the Israelites invaded as a single force (which seems unlikely) the divisions of the land soon broke them up into small and semi-independent groups. The history is therefore predominantly one of small political units. For the Israelites these units are the tribes. Tribal feeling and affiliation is marked. Hostility between the tribe of Judah and the northern tribes almost split the kingdom of David and did split the kingdom of Solomon after his death. This tribal feeling will later express itself in genealogies filled out, of course, by later invention, but at least reflecting a sense of the earlier political reality. Reliable history, too, will be approached first by the stories of tribal heroes, not leaders of "all Israel."

By contrast to the Israelite tribes, the unit for the native population was the little city, from which most of the Old Testament's *legal,* as opposed to *narrative,* material seems to have come. The legal material, as is well known, reflects in many points the continuing tradition of Mesopotamian culture; the narrative material is specifically Israelite. It is remarkable that none of our early historical traditions come from the little cities that were later absorbed into the Davidic kingdom. That is to say, we have no stories of heroes of Jerusalem or Beth Shan to compare with those of the heroes of Manasseh and Gilead. When kingship emerges in Israel it is not the old city kingship, but is tribal. The king is surrounded by a circle of his "mighty men" whose deeds of daring seem to have been the themes of a popular literature of which we have glimpses in the stories told of Saul and Jonathan, of David's men and of David himself. Neither the court of the great king who dominates Egyptian thought from the beginning of literacy on, nor the municipal tradition of early Mesopotamia is likely to have produced either tribal or typically "heroic" materials, nor, consequently, such a history as that of David and his court, which is clearly a development of the heroic tradition.

The distance between the tribal and the municipal traditions can be seen by a comparison of the stories of the judges (not to mention David) with the story of Gilgamesh. Gilgamesh is clearly a cultic and mythological figure—he makes a bosom friend of the wild man from the waste, goes to one end of the world to fight the giant in the cedar mountain, rejects the love of Ishtar and kills the bull she sends to avenge the insult, then goes to the other end of the world to get the plant of immortal life from the survivor of the flood; he is celebrated [394] first of all as the builder of a city and a holy place, the Eanna temple in Uruk. His closest analogue (and perhaps his remote literary descendant) is Odysseus. The Old Testament parallels to his story are the myths of foundation heroes (the patriarchs), not the legends of tribal heroes like Gideon and Jephthah.

Because of the geographical and political fragmentation of the country, the established authorities in Israel were always relatively weak. Consequently we should expect Israelite literature to show less influence from these authorities and their agents, and more influence from independent and even anti-establishment figures, than appears in the literatures of the great centralized political powers of Mesopotamia and Egypt. Conspicuous among the agents of the establishment are, of course, the temples and the court officials, especially the scribes. In Israel, while some priests are important authors, the priesthood as such—the temples and their interests—are conspicuously absent from most of the pre-exilic *narrative* material. (Is there any pre-exilic reference to domain lands owned by the Jerusalem temple?) A further question is how far the political power was able to control the cult. The reports of "high places" which were allowed to continue from reign to reign may conceal a stubborn resistance by the local cult centers to submit to domination from Jerusalem. The historical books, certainly by deliberate selection, show us a series of prophets who, from Samuel on, reject and defy the political rulers. The books of the pre-exilic prophets themselves (also selected) begin with Amos' expulsion from Bethel and end with Jeremiah's imprisonment and his subsequent denunciation of the Jewish popular leaders in Egypt.

Finally, the scribes are conspicuously absent in most of the literary tradition. Here two factors are to be reckoned with. First, the petty courts could hardly support much in the way of a secretariat, just as they could not afford very large priestly bodies. Second, and more important, writing was alphabetic and therefore required little special training. Consequently, while of course we find a "secretary" and a "recorder" or two mentioned as high officials in the courts from David's time on, we have no reason to suppose that they were members of a special "scribal class" or that they had any peculiar training not possessed by the other equally literate members of the court. It is a priori likely that as books increased there came to be trained calligraphers who made a living by copying them, and who may have eked out their income by teaching writing and perhaps reading and occasionally something about the content of some of the books they copied. But there is no reason to suppose that such petty craftsmen and elementary teachers should be equated with the high of officials of the court. At most some of them may have been employed about the court as copyists to keep well written records and produce well written documents—a sort of stenographic staff. This is quite a different thing from the scribal classes of Mesopotamia and Egypt—definite groups of highly trained individuals who had mastered the complicated arts of writing in demotic, hieratic, hieroglyphic, and cuneiform, and who consequently monopolized the positions requiring literacy in the great courts (except insofar as Aramaic was used in Mesopotamia). In Israel we should suppose that, although some teachers of reading and writing did put together collections of commonplace sayings as practice books for their students (the sort of thing represented in this country by *McGuffey's Fifth Reader)* there was never any important "scribal class." The evidence of the wide influence supposed to have been exercised by "the scribes" will probably turn out to be evidence of nothing more than the fact that commonplaces are common.

To this set of hypotheses derivable from the basic historical situation of the ancient [395] Israelites, three observations may be added: 1. These are hypotheses, indications of problems that deserve investigation, and of a general method by which further problems may be anticipated; they are not theses to be taken as fixed statements of a position. 2. It is clear that many important characteristics of Israelite literature and religion, characteristics that distinguish the Israelite tradition sharply from those of Egypt and Mesopotamia (for instance, the jealousy of the deity, the hostility to images, the peculiar development of prophecy) are not included in the preceding list. They are not there because they do not seem to follow as consequences from basic historical facts. Nor does the given list pretend to be complete; it contains only some of the important peculiarities which are probably explicable from the geography and history of Israel.

There is a likelihood that these explicable peculiarities were characteristic of Israelite literature as a whole, or with only minor exceptions, since they resulted from causes operating on the whole of it. Peculiarities not traceable to such general causes (those due, for instance, to particular individuals or parties) are more likely to owe their prominence in the preserved literature to selection, and to have been comparatively insignificant in the bulk of the literature now lost. However, this likelihood cannot always be relied on. Many peculiarities of many religions—for instance, most purity laws—have no perspicuous historical explanation. 3. It should be noted that many of the peculiarities pointed out have parallels in ancient Ugaritic and Greek religion and literature. No doubt this is due to the fact that both geographically and politically Iron Age Palestine was in many ways much more like Iron Age Phoenicia, Syria, and Greece, than it was like Mesopotamia and Egypt. Similar circumstances produced similar results—though communication is not to be denied and direct influence may occasionally have occurred. Whatever their causes, the similarities suggest that the three traditions should be studied simultaneously. This hypothesis has been strongly supported by the example of Professor Gaster, who has been outstanding among Old Testament scholars by reason of his wide knowledge of classical, as well as Ugaritic, material, and whose work has repeatedly demonstrated the value of each of these traditions for the illustration of the others.

CHAPTER FOUR

THE PRESENT STATE OF OLD TESTAMENT STUDIES[1]

[19] "Present state" papers vary between two extremes—the review of recent books and the discussion of standing problems. This will be of the latter sort, for a change. So long as I can remember, we have always had someone to inform us of the "latest" publications, to assure us that his own and those of his students expressed the "latest" views, and to dismiss the rest as "superannuated"—as if scholarship were a matter of fashion. This sort of self-advertisement—what I may call the *Vogue* school of OT criticism—I should not want to perpetuate.

Moreover, I could not honestly perpetuate it, since any honest review of the present state of OT studies must report that there is no prevailing fashion at all; the actual situation is unparalleled in the study of any other body of documents from the ancient Mediterranean world. The field is a scene of intense research, resulting in widespread disagreement.

This unparalleled state of affairs must result from some peculiar causes, and I think the chief of these causes is obvious: the peculiar fate of the OT in the histories of Judaism and Christianity and its peculiar relation to important contemporary institutions. Briefly, in the first centuries of our era the OT was misinterpreted by both Christianity and rabbinic Judaism, and the resultant misinterpretations are still being defended by the believers, adherents, and employees of these two great religions. Moreover, both Judaism and Christianity did something worse, for historical purposes, than misinterpret the OT: They believed it. They believed it a literally true account of the history of the world and of the Israelites from the creation of the world (about 4004 B.C.) down to the last events recounted by Nehemiah. Everyone knows of the great battle in the nineteenth and early twentieth century when this belief was finally refuted by biologists and geologists. Of course, that battle is still being fought in the backwoods of the intellectual world. There are some countries where even the teaching of evolution is prohibited by law. But for most of us the matter seems a dead issue. However, this battle was only one incident in a much wider war which also has generally ended with the triumph of a rationalistic notion of the world, a triumph, that is, in scholarship and science. Of course, miraculous [20] medals continue to sell, and healing shrines will always have patrons, and professional theologians continue to pay lip service to the notion of supernatural intervention in history—long ago and far away. But I think any judge in the country would throw an accusation of witchcraft out of court, and any historian who attributed the victory on the Marne to the active intervention of angels on the side of the allies would be laughed at, and any American theologian who told his bishop that Yahweh had appeared to him and sent him to warn the nation of the coming end of the world would be advised to try psychoanalysis.

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[1] The substance of this paper was presented as a lecture at the meeting of the American Academy of Religion in Dallas on October 18, 1968.

This great change in our notion of the way the world works is of fundamental importance for biblical criticism, because the Bible is largely a tissue of miracle stories. The creation, the expulsion from Eden, the flood, the conversations with the patriarchs, the call of Moses, the plagues on Egypt, the division of the Red Sea, the epiphany on Sinai, the giving of the law—these are all miracle stories, *magnalia Dei.* Even when there is a historical framework, as in Kings, the interest of the author is not in this framework, but in the miracles of the prophets and, more generally, in the miraculous management by Yahweh, who used natural and supernatural events alike to punish Israel for its sins. To explain away a miracle by imagining some sequence of natural events which might have produced the same effect is to misunderstand the genre of the story and to thwart the author's purpose in telling it; his primary concern was not to report what happened, but to give glory to Yahweh.

Since this is the nature of the OT, and since Judaism and Christianity have accepted the OT as the revelation of divine truth, OT scholars committed to Judaism or Christianity have now some difficulty in explaining how it happens that this revelation of divine truth is mostly incredible. The recent history of OT criticism by H. J. Kraus[2] devotes about half of its content not to studies of the meaning of the OT, but to attempts made by Lutherans and Calvinists to adjust their beliefs to the meaning, or the meaning to their beliefs. Admittedly, theologians have been more worried about the problem than has either the Church or the Synagogue. The continuity of great institutions is maintained by inertia and depends on orthopraxy and orthology, not orthodoxy, so a great deal of variation in opinion has been tolerated. Nevertheless, the traditional teachings of religious institutions are still probably the largest single influence in OT criticism. Most scholars in the field must teach in seminaries; even appointment to university posts, especially in Europe, is often affected by politics in which the institutions are of great influence; most students of the subject come from pious families and have been trained in religious schools: such background and training is a great advantage in the study, and students who have had it are likely [21] to excel. One of the most hopeful developments, in this respect, is the growth in Israel of secular scholarship thoroughly grounded in Hebrew. But outside Israel, the field is dominated, numerically at least, by the representatives of religious establishments.

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[2] *Geschichte der historisch-kritischen Erforschung des Alten Testaments,* Neukirchen, 1956.

Because of all this there is a constant tendency to save as much of the old positions as possible. If not true, then let the stories be at least "essentially" true. If not even "essentially" true, let them at least teach some "higher truth." (Whenever a critic makes much of a higher truth you may suppose he is trying to conceal a lower falsity.) And if, in the end, unpleasant facts must be admitted, they must at least be expressed in reverent language. Friederich Delitzsch has left an amusing story of his first encounter with this higher veracity.[3] He learned from his professor's lecture that Deuteronomy was not written by Moses but was a work of the seventh century, composed for a specific purpose, and for that purpose attributed to Moses. Deeply shocked, he went to call on the professor and, in the course of their conversation, asked, "Is Deuteronomy, then, a forgery?" "For God's sake, no!" said the professor. "That may very well *be* so, but you mustn't *say* so."

In sum, what generally prevails is pseudo-orthodoxy. Let us add a new word to the language and say, "pseudorthodoxy." The *pseud* is important. I do not know any competent OT critic now living who would not have been excommunicated 250 years ago by any of the major Christian or Jewish groups. Nobody I know accepts the OT chronology, or thinks the nature miracles really happened, or even attributes the whole of the Pentateuch to the direct authorship of Moses; and a fortiori, nobody has that notion of the world and of how it works which is presupposed throughout the OT and taught in many passages. Nobody, so far as I know, believes in the existence of Yahweh as the OT describes him—a North-Arabian mountain god who traveled in thunderstorms and liked the smell of burning fat. But everywhere there are persistent efforts to square the facts of the OT as far as possible with the traditional teachings of the institutions, and even more, to make them serviceable for homiletic presentation.

The resultant pseudorthodoxy, let me emphasize, is not a thing distinctive of scholars in conservative denominations. Father de Vaux, for instance, a Dominican, has amazingly little of it, while some of its most conspicuous representatives in America belong to traditionally liberal Protestant sects. The causal relations between pseudorthodoxy and traditional Judaism and Christianity are more subtle and complex.

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[3] *Die Grosse Täuschung,* Berlin, 1920–1921, I, p. 5.

On the one hand there are unquestionably considerations of practical interest. Religious institutions have the money to finance excavations and publications and lectures, and such things are useful for academic careers. The large conservative reading public, especially in the South, [22] assures a sale for books attacking higher criticism. An excavation of which the results "confirm the Bible" will certainly get large publicity, and the enormous expense of archeology—a most important difference from other methods of biblical research—has made it far more dependent than the others on public interest and support. Men with a flair for raising money of course had better chances in the field; they attracted their like, and a sort of Barnum tradition grew up, exploiting public interest in the OT. Books announcing the great discovery that there had once been a big flood in ancient Mesopotamia, or describing "the" tower of Babel, titles like "Gibeon, Where the Sun Stood Still," or "The Bible is True" are symptomatic. But beyond these obvious, practical concerns there were deeper ones. Sensitive men brought up in the various religious institutions and ways of life were deeply attached to them. The love of their music and ritual, their art and architecture, the almost architectural appreciation of their great systems of philosophy and theology, the more practical appreciation of their enormous services to society, especially in education, medicine, and public welfare—such rational and aesthetic concerns, and the yet deeper irrational attachment to the beliefs one has held in one's childhood, were important sources of pseudorthodoxy. But the most important was fear. The security of the nineteenth century was destroyed by the first World War, the consequent bankruptcy of Germany which wiped out the savings of millions of middle class families (OT scholarship is a middle class activity), the consequent rise of Nazism, which fundamentally challenged the humanitarian traditions of Christianity and Judaism, the consequent second World War, and the "Cold War" consequent on that. Everywhere many men sought or clung to established institutions, traditions, codes of conduct and formulae of belief which seemed to offer some security, some island of stability to which they could escape from the wreck of the world. This deeper utilitarianism was the major root of pseudorthodoxy, the attempt to reconcile the traditional beliefs about the OT with the undeniable results of scholarship.

Having thus described pseudorthodoxy, I have now to show its pervasive influence on OT criticism and its large share of responsibility for the obscurantism and the disagreements which plague the field.

Let me begin with the very text of the OT. The edition now standard is a transcript of a single 11th-cent. MS, and prints the text with three often erroneous commentaries of the Byzantine period—the vowel points, the accents, and the masoretic notes. In the text itself, the editors have made no changes save to correct obvious slips of the pen. All readings from other MSS, though thousands are preferable, have been relegated to the footnotes. Indeed, reverence for this sacred masoretic text has led to a determined resistance even to proposals to collect and study the variants from other MSS; the last important collections of variants were made in the eighteenth century. We have been assured, [23] often without any evidence at all, that all such variants come from scribal corruptions, not from other text types—a contention made implausible by the frequency with which large groups of the known variants agree with the readings of other text types. Again, from these different text types, which were all current in the Greco-Roman period, there are thousands of readings better than the masoretic. These readings, too, are relegated to the footnotes, and the footnotes are negligent about reporting them.[4] Finally, there are yet thousands of places in which the readings of all sources are corrupt, but scholars have been able to correct the text with conjectures which are almost certainly right. These conjectures, of course, are also left to the footnotes.

To any classical scholar, this state of affairs must seem ludicrous. The first object in the study of a classical author is to produce a text as nearly correct as possible, and this objective has been successfully pursued in NT studies, where the textual problem is no less complicated than in OT. But in OT studies the sacred masoretic cow still lies in the middle of the road, and will certainly stay there because the publication of OT texts is so expensive that it has to be financed by the Bible societies, and the Bible societies are strongholds of pseudorthodoxy. The consequences of this are legion. First, scholars of more piety than intelligence are constantly inventing new defenses of impossible masoretic readings; these defenses too often get into the journals, confuse students, and waste paper, money, and time. Second, the unjustified prestige of the masoretic text deforms the study of the other text types. The most widely used edition of the LXX, for instance, followed the example of the Hebraists by taking "the best MS" as a text and departing from it as little as possible. Further, the departures were too often based on the supposition that the masoretic text was correct and that the Greek text which came closest to the masoretic was therefore the best Greek text. Consequently, as an account of the peculiar tradition of the LXX, Rahlf's edition is worse than useless; it is misrepresentative. Finally, and this is worst of all, the use of a single, often corrupt MS as *the* text of the OT constantly deforms the notion of Hebrew acquired by the students who read and re-read this text. And in OT studies too many of the students read no other Hebrew—all they know of the language is this one corrupt text. The first thing, therefore, that OT scholarship needs is the production, for beginning students, of good critical editions of the individual works of the OT, editions which will print as their texts the best readings that can now be recovered. If such texts were available and if students' notions of ancient Hebrew were shaped by them, we could then hope for further progress.

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[4] See the remarks of H. Orlinsky, "The Textual Criticism of the Old Testament" in *The Bible and the Ancient Near East,* ed. G. Wright, 1961, pp. 114 ff.

I said, "editions of individual works of the OT," because another [24] consequence of pseudorthodoxy in OT studies is the treatment of the OT as a unit and the neglect of other ancient Hebrew literature contemporary with its latest books. The sharp separation between the canonical, the apocryphal, and the pseudepigraphic books is perpetuated by the pseudorthodox, and still does much to obscure the history of all three groups. The interest in the Dead Sea documents has helped to correct matters, but further correction is needed. Too many students, for instance, are still under the illusion that at the time of Jesus a mythological monad called "Judaism" had "The Old Testament" as its "sacred Book."

When we go on from text and canon to lexicography, we find ourselves in a stronghold of pseudorthodoxy. Since Semitic roots are usually of only two or three letters there are many homonyms. Moreover, the vocabularies of most Semitic languages are closely related; so it is a rare root that does not occur in four or five languages, often with two or three meanings in each language. Consequently, if in a given passage the normal meaning of a Hebrew word will not make sense, the pseudorthodox defender of the masoretic text, determined to avoid emendation, has only (in current jargon) "to bring to bear on the problem the resources of comparative Semitic linguistics," i.e., to leaf through half-a-dozen dictionaries, with the reasonable assurance of finding at least as many different meanings for the same root, one of which may happen to make sense. That the sense it makes will be the original sense is unlikely of course, but unimportant. And that this meaning may be found only in Akkadian a thousand years before the time of the text, or in Arabic a thousand years later, is a matter of indifference; such linguists are godlike: for them a thousand years of antiquity, since it is past, are but as yesterday. Of course, it is necessary, because of the poverty of the remains of ancient Hebrew, to rely on comparative linguistics for the elucidation of many difficult passages, but we must never forget that this is a *pis aller*. The best guide to the meaning of words in a given language is the tradition of that language, including the translations made from it. Considerations of historical proximity must always be taken into account in evaluating analogies from other languages; and in a vowelless text, which has undergone both transcription from one alphabet to another and several centuries of uncontrolled copying, corruption is far more likely than the occurrence of a root meaning otherwise unattested in the language. This holds especially for the OT of which the text is often extremely corrupt.

But linguistics is even more important for pseudorthodoxy as a way to get rid of embarrassing meanings. Can Yahweh at the beginning of the ten commandments have said, "I, Yahweh your God, am a *jealous* god? " Heavens, no! Therefore the root, קנא must have some other meaning. And sure enough, with a little linguistic research, it turned out to mean "deeply concerned." That it also must mean "jealous" [25] (Num 5:14) and that in the ten commandments, where Yahweh is forbidding the worship of other gods, the meaning of "jealous" is clearly indicated, need not be said. This way of whitewashing the deity has enjoyed wide popularity, and anyone who wants to endow a professorship of "Apologetic Linguistics" will find no lack of qualified candidates, but I shall say no more about the practice because it has already been ably exposed by James Barr in his book, *The Semantics of Biblical Language.*

Leaving linguistics we go on to higher criticism, which has always been the bête noire of the pseudorthodox. They were clever enough to see that its results had to be accepted. On the other hand, to attack higher criticism was the accepted way of vindicating pseudorthodoxy. Therefore higher criticism had to be both attacked and accepted. What could be done? The solution was: to concentrate the attack on the greatest and most famous representative of higher criticism, to announce to the public that his "system" had been destroyed, and to appropriate privately its elements. This method has been used so often in lectures on the present state of biblical studies that I suppose some of you expected this one, too, would begin with the words, "Great tidings of joy I bring unto you which shall be to all peoples, Wellhausen is dead!" Since Wellhausen's *History of Israel* was published just ninety years ago (1878) and he died just fifty years ago (1918), this well-worn kerygma is principally interesting as evidence of the greatness of his genius and the endurance of his influence. We can safely prophesy that none of his critics will be of comparable importance ninety—or even fifty—years from now. Further, if we look more closely at the elements of Wellhausen's system and at their fate, we can see that: 1. Basic to the system was the distinction of four main strata in the Pentateuch—this is still accepted by almost all scholars. 2. It was supposed that each of these strata came from one independent document which had *in the main* been put together by one author-editor at one time. This has been considerably modified by the recognition of minor sources and, in the major sources, of repeated and extensive redactions, so that the end products are more like the records of schools than the works of single authors; but Wellhausen himself began this recognition *(Composition des Hexateuchs,*[4] 1963, p. 207) so it does not substantially alter his thesis. 3. Next came the dating of these documents, J and E (to use modern terms) before the major prophets, D about 620, P in or after the exile. This sequence is still generally accepted, and, within at most a century, these are still the customary dates. The most serious attack on the sequence has been Kaufmann's effort to prove an early date for P, but this has not secured general acceptance and probably will not; to mention only one consideration, the linguistic connection of P with Ezekiel is too strong. 4. Finally, on the distinction and dating of these documents Wellhausen based his history of the Israelites and their religion. Many details of his history and some important elements have now been [26] modified or generally abandoned; for instance, he certainly gave prophecy too large a role in the causation of the law codes—and it is these changes of interpretation which have served the pseudorthodox claim that the "system" has been destroyed. This claim itself served nicely to conceal the fact that three quarters of the system, its essential structure, was and is almost everywhere accepted.

When pressed to justify this claim, the pseudorthodox are apt to distinguish between the component parts and the system itself—a nice Platonic distinction between matter and form. The parts, they say—the analysis and dating of documents—were not Wellhausen's own work; so these were never in question. If pseudorthodox propaganda gave the impression that these had been discredited, that was purely accidental. All they ever meant to attack was the peculiar contribution of Wellhausen, the structure he composed of these elements, and particularly his picture of Israelite religion as beginning with a comparatively primitive cult centered in sacrifice, a folk religion which was then moralized and monotheized by its prophets, and finally legalized by the authors of its codes, who sought to embody its prophetic demands in a form suitable as the basis for a national religion. This picture, they contend, is fundamentally false because the essentials of Israelite religion originated in the middle and late bronze age, "a very civilized, sophisticated, and cosmopolitan era."[5] Consequently, it cannot possibly have been primitive. Abraham was a theologian as well as a merchant prince; his donkey caravans could barely stagger along beneath his library of cuneiform tablets. From these little Isaac learned all that Sumerian literature of which the knowledge, faithfully handed down by tradition for a whole millennium, was to appear in the Israelite works of the eighth or seventh centuries. Or, to follow another version, Joseph learned monotheism from his friend Akh-en-aton, or better, taught it to him. Or at least Moses, schooled in all the wisdom of the Egyptians, anticipated the excavation of Tell el Amarna and recovered Akh-en-aton's suppressed teachings.

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[5] G. Mendenhall, "Biblical History in Transition," in *The Bible and the Ancient Near East,* p. 36.

All such apologetic hypotheses overlook the archeological facts. (1) The literary culture of the bronze age was a court and, at the widest, a city culture. The difficulty of the systems of writing necessarily limited it to the small circles of the highly educated; it certainly did not extend to the fellahin ("the eloquent peasant" of the Egyptian wisdom-romance is like the courtly shepherd of the eighteenth century, a deliberate contradiction in terms). A fortiori this culture did not extend to the pastoral nomads, even when they occasionally penetrated Egypt or Mesopotamia and were put to work on building projects. (2) The one thing we know for sure about the peoples who invaded Palestine from the thirteenth [27] to the eleventh centuries is that they came from the east and south and were not of high culture. Like their contemporaries, the Dorian invaders of Greece, they did not even have any distinctive pottery tradition. If they made pottery at all, it must have been of so crude a sort that there were no shapes or peculiar utensils they wanted to preserve once the Palestinian products were available to them. Probably they had used skins rather than pots, and barbecued their meat—the old fashion of cooking was still prescribed for the Passover sacrifice until the time of the deuteronomic reform. When they came into Palestine they did not take over the bronze age cities and palaces. They burned them. Probably many preferred to live in their tents. The expression in Solomon's time was still, "To your *tents,* Israel !" By contrast the king has a *house* (1 Kings 12:16). When the invaders did rebuild they built hovels. From the remains of these and of their contents the cultural level of these invaders is absolutely clear: they were extremely primitive. That they were literate is wholly improbable. When the alphabet does come in, it comes from the Phoenicians in the northwest, not from any area where the Israelites had been. That they had any substantial knowledge of the higher culture of the bronze age is practically impossible. Whatever elements of that culture are preserved in the OT must have been preserved—as the agricultural and civic laws certainly were—by those Canaanite cities which like Beth-shan and Jerusalem were not destroyed but eventually made terms with the Israelites and were occupied peaceably, Jerusalem only in the time of David. The bronze age elements in the OT, therefore, probably came into specifically *Israelite* tradition rather late. The pseudorthodox have written a great deal about archeological confirmation of the stories of the patriarchs, though all they had to show was a detail here and a detail there (and I shall discuss some of these details presently), but they have been amazingly silent about the archeological confirmation of Wellhausen's history, though that confirmation is obvious from the great majority of excavated late-bronze-to-early-iron sites in Palestine. Those sites leave no doubt that the culture of the invaders was primitive and that Wellhausen's picture of the history of Israelite religion as a progress from the religion of a primitive to that of a citified and legalized people is basically correct. As for the law and the prophets, Wellhausen of course did *not* maintain that the invading Israelites were utterly without tribal *laws* and that *laws as such* only developed after prophecy. He was concerned with the dates and elements of the preserved *codes.* For those codes his dates are still generally accepted—with some minor ups and downs—and the hypothesis that considerable elements in the codes reflect the prophetic teaching is almost certainly correct. To what extent this is true, and to what extent prophetic teaching itself was a development of elements found in earlier Israelite laws and customs, are obviously subordinate questions to which various answers can be given without affecting the [28] facts that the main outline of Wellhausen's history was correct and even many of its details are still defensible.

I do not think it worthwhile to follow the disputes over the details. Their importance is merely the factitious one which the pseudorthodox have given them by singling them out for attack. The essential question for the present state of the field is: Given the generally successful completion of the source criticism of the OT accomplished in the work of Wellhausen and the other great critics of the age before World War I, why have we not been able in the half century since 1918 to go on to an equally successful revision of the political and religious history of the Israelites? It is about these questions, the work of scholars of the past generation, that there is almost universal disagreement. Pfeiffer, Alt, Kaufmann, Mowinckel, and Noth, whose death we now mourn, Eissfeldt, born in 1887, Albright in 1891, von Rad in 1901—these were all great scholars. Why has none of the work of their generation been able to achieve the general assent which was and still is given to the essentials of Wellhausen's system?

The answer to this question is obviously complex. In part, modern scholars have attempted tasks more difficult than source analysis. For source analysis the evidence (i.e., the texts) is immediately and precisely observable; for the historical interpretation of the sources other types of evidence, more difficult to assemble and evaluate, must be considered. Further, source analysis is logically prior to interpretation; interpretation must be built on it. Therefore, whenever source analysis is uncertain—as to some degree it almost always is—interpretation must be less certain. Moreover, because of physical accidents the archeological evidence needed for the interpretation, the evidence about Palestine in the *first* millennium B.C. has been very poor. And finally, the structure of the academic world encourages scholars to differ. To defend a new theory is to attract attention, secure publication, become an authority, and get a raise. But there is no money in proving that generally accepted ideas are, after all, right. However, along with all these factors and, at least as important as any of them, has been the continual confusion resultant from the apologetic tendencies of the pseudorthodox. A good number of these tendencies can be grouped under three heads: first, attempts to defend the traditions about the OT; second, attempts to defend the "essential truth" of OT stories, especially those of the patriarchs; and third, attempts to demonstrate the "higher" truth of the OT, its superiority to the products of surrounding cultures and sometimes, by implication, its supernatural origin.

Of these three the concern about authorship appears, for instance, in the attempts to vindicate for the prophets as much as possible of the prophetic books; to prove the psalms, if not Davidic, at least pre-exilic; and to find, if not passages really written by Moses, at least traditions [29] which may be in origin Mosaic. By this last trait pseudorthodoxy was involved in the critical study of traditions, the proper historical successor to source criticism, in which a great deal of valuable work has been done, especially by Noth; and this the apologists did not suffice to obscure. They drew aid and comfort, however, from the overconfidence with which Noth and Alt presented the results of their studies of tradition, and they used the fact that documents contained old traditions as an excuse for representing as unimportant the dates of the documents. They neglected the value of the works in the OT as historical evidence about the times at which they were composed, and they determinedly neglected the influence which those times, and the interests and purposes of the collectors, had on the contents of the collections. Some enthusiasts have even gone so far as to maintain that in the ancient world, "writing is used to preserve, not ... to create"[6]—a statement of really egregious insensitivity, since the OT contains some of the world's most remarkable works of literary creativity, which is always highly imaginative. Consider the story of David's reign, with its vivid accounts of scenes which no one could have reported (for instance, David's deathbed advice to Solomon), the prophecies of Jeremiah, the visions of Ezekiel. And when one comes down from these heights to the Death Valley of the Chronicler, one finds an author whose brazen, clearly motivated invention is obvious on almost every page.

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[6] G. Mendenhall, *op. cit.*, p. 34, n. 4.

More important than such absurdities were the attempts to defend the "essential truth" of OT stories. Often these led to misrepresentation of the stories by attempts to eliminate the miraculous—this I have already spoken of. That by so doing one eliminates what the author thought was the essential truth (the revelation of the miraculous power of Yahweh) does not bother the pseudorthodox; for them the "essential truth" of a story is any truth that can be squeezed out of it. A favorite way of eliminating miracles is to invent a course of possible happenings which would have produced the alleged results, and then argue without any other evidence that, since the result is said to have occurred, these happenings must have preceded it. This is credulity. It is supported by argument from "fertility." If a hypothesis will yield a string of consequences convenient for my argument, then it is to be made since it is "fertile," whether or not there is any evidence for it. This is hypercredulity. Whenever an author argues that his hypotheses must be accepted because they are "affirmative," "positive," "constructive," or "fertile," you have grounds to suppose him either a fool or a fraud. But even more fertile than this fertility cult is the principle that any OT story which cannot be specifically disproved is therefore true. This has given birth to a whole history of the "patriarchal age" which, so [30] far as the patriarchs are concerned, is of no historical value whatsoever. As Professor Bickerman remarked in a brilliant review,[7] the same methods would prove the legendary descent of the Britons from Brutus, a Trojan prince who fled to England.

A favorite means of revealing "essential" truth is to show that the patriarchal legends are "confirmed" by archeological evidence. This evidence turns out to consist of similarities in various details between the biblical stories and documents from the second millennium B.C. Which part or period of the second millennium B.C. makes no difference; debris in Sinai from the nineteenth century and treaties in Turkey from the thirteenth, agricultural settlements on the upper Euphrates from the eighteenth century and customs beyond the Tigris from the fifteenth—everything similar is confirmation. But, as de Vaux pointed out in his fine article on *Method in the Study of Early Hebrew History*[8] with reference to the customs of Nuzi, "If they are limited to this region and to this period they cannot be used to enlighten the history of the patriarchs who were never east of the Tigris; if they are not limited to this region and this period they cannot be used to date the patriarchs." The same failure to consider the possible survival of cultural elements is frequent in the misuse of literary parallels to date biblical material. The historicity of the Sinai covenant was argued from its similarity to Hittite treaties, but the same essential structure appears in the treaties of Esarhaddon of Assyria where the parallels are so close to Deuteronomy as to argue its literary dependence;[9] so one has to ask, When did the Israelites become familiar with this enduring Mesopotamian diplomatic convention? And the answer is surely not while they were slaves in Egypt or nomads along the desert, but after they became a kingdom, and perhaps, indeed, only after the revival of Assyria. Thus the "ancient near eastern archeological evidence" is actually evidence for a rather late date. Any number of psalms have been dated early because of their Ugaritic parallels. But we know from Philo of Byblos that traditions like the Ugaritic lived on in Phoenician cities down to Roman times, and Phoenician contacts with the Israelites were particularly close towards the end of the Persian period, when the Phoenicians seem to have controlled all the coastal plain of Palestine, had a trading colony in Jerusalem (Neh 13:16), and were probably allied with Jerusalem in a revolt against the Persians. Relations continued close in the hellenistic age, as we know from remains of the "Sidonians" at Marisa; and there is nothing unlikely in the notion that the Jerusalem priesthood of these periods, which was in close and friendly contact with the neighboring [31] peoples, may have been responsible for the introduction of Phoenician elements into the temple psalms. So here, too, the "ancient near eastern parallels," like the other characteristics of these psalms, point to a very late date.

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[7] In *Jewish Social Studies,* 1961, p. 49.

[8] In *The Bible in Modern Scholarship,* ed. J. Hyatt, pp. 26 ff.

Such possibilities have not been considered because the pseudorthodox did not want to consider them. Their object was to prove as much of the OT material as early as possible. So attention was concentrated on the parallels to be found in the bronze age, and little or no attention was paid to the relevant material from the world actually contemporary with the OT. *Ancient Near Eastern Texts* had to go to a second edition before it recognized the existence of Canaanite and Aramaic inscriptions of the first millennium. To illustrate the background of the OT, *The Ancient Near East in Pictures* offers, of datable plates, 117 from the second millennium against 55 from the first. But the height of absurdity is reached by a recent Israeli publication which calls itself *Sources for the History of Israel and its Land in the Age of the Bible, the Second Millennium B.C.E.* Actually, of course, the OT is a work of the middle and late first millennium. Very little of the material in it was written before the late ninth century; most is probably from the seventh, sixth, and fifth, and a good deal is even later. But for the pseudorthodox this is irrelevant. Like the linguists I mentioned before, they are utterly insensitive to anachronism. Their concept of the ancient near east is a sort of timeless cultural stew in which everything from the first cities of Sumer to the arrival of Alexander the Great is muddled together. A recent *Atlas of Ancient Mesopotamia* locates Mari (destroyed about 1750 B.C.) and Ugarit (about 1200) in the empire of Nebuchadnezzar II (604—562), and shows the Hittites in central Asia Minor 500 years after the country had been overrun by the Phrygians.

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[9] M. Weinfeld, "Traces of Assyrian Treaty Formulae in Deuteronomy," *Biblica,* 46 (1965), pp. 417 ff.

Consequently it is not surprising that a long series of archeological "confirmations of the Bible" have turned out to be howlers. Palestine itself has no more impressive ruins than those that litter the history of biblical archeology. The walls of Jericho that collapsed under Garstang's theories, Solomon's copper foundry that turned out to be a granary, Solomon's stables that were built by Ahab, a Maccabean fortress that turned out to be Solomonic, the uninhabited wilderness of Transjordan that proved so rich in Mycenean pottery, the thirteenth-century cities of Jericho and Ai that disappeared—these are only the items that come first to mind. And I only remark in passing that this concern for archeological confirmations of the OT has had two most unfortunate effects: On the one hand, it is giving us too many OT scholars who are more familiar with potsherds than they are with Hebrew verbs, and can recognize stratification in a dig but not in a document. But the OT, which they must teach, is a collection of documents. Their ignorance will presumably be perpetuated by their pupils. Much of it is even now [32] being laid up in popular reference works and commentaries for consultation by the unwary. On the other hand, the determination to confirm the Bible has had a most unfortunate effect on Palestinian archeology. Some time ago I was talking with one of the world's foremost experts on certain aspects of ancient near eastern archeology. I happened to remark that there was something about ancient Egypt which seemed to attract cranks—the Pyramid readers, the Amarna monotheists, the mystery men, and so on. "You," I said, "in Mesopotamia seem to be more fortunate." "Yes," was the reply, "but then—we get the biblical archeologists."

In all this, I have not spoken of OT theology. I think it unspeakable. But I must say something of the third main thrust of pseudorthodoxy, its attempt to separate the OT from the near eastern culture of its time and to prove that it teaches a "higher truth." One favorite contention is that there are no myths in the OT. This is, of course, absurd. Stories of heroes who wrestle with angels and of deities who come to dinner are nothing if not mythological. Even the pseudorthodox are uneasily aware of this, and when in difficulties hasten to add, "that is, no mythology properly defined." Then they go on to define mythology in such a way as to exclude a good half of the Greek material. Let us be quite clear on this subject: The term *mythos* in Greek regularly refers, *inter alia,* to stories of dealings between deities and men, and until the rise of pseudorthodoxy nobody thought of excluding such stories from mythology. Nor is that notion seriously considered now. So anyone who declares unequivocally that there is no mythology in the OT is at best declaring that he is so ignorant he cannot recognize a myth when one stares him in the face.

Another favorite theme maintains that the OT is distinctive because of its belief that God acts in history—other ancient near eastern peoples experienced the divine only in the recurrent cyclic processes of nature. This also is vanity. All ancient deities who were the object of petitionary prayers were thought to act in history—that was why they were prayed to. I am glad to say this apologetic tradition has now been given its well-deserved comeuppance by B. Albrektson, *History and the Gods* (Lund, 1967).

Yet a third hoary misrepresentation is the claim that Yahweh is the creator of the elements of nature, in paganism the gods are elements of nature or their products; therefore Yahweh is a being *sui generis,* not a god in the pagan sense of the term (and the Israelites merely called him a god because they could not invent a new word for their new concept, though they were fully aware of its novelty!). In the first place, the OT Yahweh was never a concept and always a god; in the second, the notion that he created the elements of nature is far from universal in the OT material: In Gen 1, for instance, he "created" (בָּרָא, whatever [33] that means) heaven and earth, but not darkness nor the deep (תְּהוֹם), which are conceived as obstacles overcome by his actions. In Gen 2 his action is clearly formative, not creative in the sense which "creation" has come to have in Jewish and Christian theology, but Gen 2 is no less a cosmogony. Finally, ancient near eastern paganism bristles with gods represented as universal creators. Over fifteen years ago I collected references to eight or nine of them in my article, *The Common Theology of the Ancient Near East.*[10] But such observations of fact have no effect whatever on the pseudorthodox. At most they draw some new "distinctions" to justify their old conclusions. For those conclusions are their real concern, not the facts nor the arguments. Accordingly, when new facts are adduced or old arguments refuted, they do not change their conclusions, but merely look for new ways to support them. It will not do to speak of *fides quaerens intellectum,* for neither *fides* nor *intellectum* is here appropriate.

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[10] *JBL,* 71 (1952), p. 139, n. 13 (chapter two above).

With this conclusion it is clear that this paper has fallen far short of an account of "the present state of OT studies." It has tried only to sketch the ramifications of pseudorthodoxy and so explain in part the confusion and dispute prevalent in the field. Therefore the great discoveries and solid progress of recent years have been passed over. Thus I have said nothing of the great advances in textual criticism which will eventually result from the publication of the Dead Sea documents, the Aleppo codex, the codex Neofiti of the Palestinian targum, and the Leiden edition of the Peshitta, to name only the most conspicuous of present projects.

Dim as my view is of the "revolutionary advances" in Hebrew lexicography, I welcome the appearance of the new edition of Baumgartner's dictionary, especially because of my profound respect for the work of Professor Kutscher who will participate in the revision. To have a compendious and critical survey of the innumerable etymological conjectures of the past generation will be invaluable. (Nevertheless, at least for purposes of comparison, I shall cling to my old ragged Gesenius.) The study of Palestinian geography, and especially that of its archeological remains, has seen enormous advances. Here too, of course, pseudorthodoxy has been active: On the basis of correspondence with biblical reports, you give a name to a ruin, then you excavate the ruin and discover that it confirms the biblical reports. But in spite of such side shows—no, even, because of them—the really important task of recording what ruins there are, where they are, and what they contain, has gone forward steadily. Meanwhile, outside the biblical field, archeology has become a specialized profession, recognizing more and more clearly its peculiar tasks and limitations. Israeli archeology, in particular, [34] is highly professional, often outstandingly competent, and I expect that through the Department of Antiquities it will more and more impose its standards on all excavations in Israel. At the same time, departments of archeology are developing in many universities, and it seems likely that these—and not the theological seminaries—will provide the leaders for the more competent and significant excavations of the future. We may hope that the days of the professor of OT who is an archeologist in his summer vacation and explores the Holy Land with his Bible as his guidebook, will soon be over. So too, I hope, will the days of the archeologist who is a professor of OT between digs and who explores his Bible for details he can fit to his findings. For a correct history of the Israelites we must have the archeological facts determined quite objectively and independently by competent archeologists, and the biblical facts likewise determined by competent philologians, and then can we begin to compare them.

Towards this goal, even now, we are progressing. Already, indeed, the gradual publication of archeological results has steadily built up an objective picture of the history, not only of ancient Palestine, but of all the ancient near east. We can now distinguish clearly its main contours—the rise of the great "empires" of the bronze age; their almost complete collapse in the years between 1250 and 950; the barbarian invasions which profoundly changed all the near eastern countries during those three dark centuries, and the gradual emergence of the new powers of the iron age, at first little kingdoms and city-states, then new "empires" like the new Assyria and Babylonia, whose princes looked back to those of the preceding millennium as the rulers of the Renaissance did to the ancient emperors of Rome. We can see Ashurbanipal, for instance, as a Renaissance ruler, raiding Babylon and the rich Phoenician cities as the French raided Rome and the trading towns of Italy, collecting old manuscripts and patronizing new artists. Akkadian is still spoken in his court and in the temples and at the bar (as Latin in the Renaissance); even Sumerian enjoys a learned revival (as Greek did). But the business documents are more and more in the new business language (Aramaic), and the interests and information and art and mentality of the new world are a thousand years away from those of the world of Hammurabi.

It is to this new Renaissance world of the Assyrians and the Phoenicians, the Lydians and the Greeks, that the Israelites, a new people of recent invaders, belong. They belong to the beginning of the iron age culture, not to the end of the bronze. Their cultural history is paralleled most closely by that of the iron age Greeks: savage invaders of the thirteenth and twelfth centuries, they soon assimilated some elements of the culture they had overrun, but reshaped these by their own standards and interests and combined them with new elements from the new [35] world around. Learning the alphabet from the Phoenicians, they began to write down their heroic legends and those of the old holy places in their land (J and E, the Homeric epics and hymns); in these we can sometimes see the dim outlines of bronze age legends, but the heroes have become nomads and chieftains of the invasion period, and the mentality and language is that of the early monarchies. As civilization developed, wealth and trade and social injustice increased, and prophets emerged to denounce the wickedness of the rulers, defend the poor, and foretell the coming of the judgment of Yahweh or Zeus—Amos and Hesiod are conspicuously close in date, message, and prophetic vocation. But prophetic preaching was not directly effective. What the people needed for their protection was the publication of their laws, hitherto a matter of tradition in the heads of the rich—the city elders and the priests. Consequently, Deuteronomy and Draco are almost exact contemporaries, and both the social concerns and the proposed remedies of the deuteronomist are in many points parallel to those of Solon, who lived only a generation later. At the same time intellectual development is going on. Soon the gnomic "wisdom" poetry, traditional all over the near east, will be developed by gifted individuals like Theognis and the author of the first section of Proverbs to serve their own didactic purposes. From such beginnings will come, a century later, such great theologico-philosophical and dramatic dialogues on the problem of evil as Job and *Prometheus Bound.* And after these great peaks of poetry the writers of both peoples will turn to topics of more "human interest." Speculative thought will concern itself with the good life (so Epicurus and Ecclesiastes), narration will turn to hellenistic romances like Judith and Tobit. This is the outline of Israelite literature, and it belongs part and parcel, soul as well as body, to the iron age and to the Mediterranean, not to the Mesopotamian world. The work of the coming generation of OT criticism will be, I hope, to recognize this relationship and determine its details. For those tasks students will rely not only on the source analysis and dating worked out by the scholars of the nineteenth century, but also on the great achievements of the past generation—the introductions by Pfeiffer and Eissfeldt (invaluable tools for research), the painstaking studies of tradition by Noth and von Rad, the collections of archeological, geographical, and lexical observations by innumerable scholars, and the relentless questioning of accepted conclusions by Ezekiel Kaufmann. My intention in this paper has not been to deny or to overlook these contributions to the study of the OT, but to present at some length what seems to be, for that study, the most important obstacle.

CHAPTER FIVE

PSEUDEPIGRAPHY IN THE ISRAELITE LITERARY TRADITION

[191] Let me begin by confessing uneasiness about the common distinction between Palestinian and diasporic pseudepigrapha. The fact is that we do not know where most of the *OT* pseudepigrapha were written. As Prof. Hengel has shown,[1] Palestine was profoundly hellenized and we have no assurance that works of hellenistic form and spirit may not have been written there in Hebrew, in Aramaic, or in Greek. Conversely, we know that Hebrew and Aramaic were used in the diaspora[2]; for all we know they may have been used to write books there; we know of some Greek works written in the diaspora which not only perpetuated and developed *OT* forms and themes, but were intensely hostile to the Greco-Roman tradition—such, for instance, is the canonical *Apocalypse.* In sum, the conventional distinction of both Judaism and early Christianity into "diasporic" and "Palestinian" types is not justified, and I regret the current project for a corpus of the literary remains of diasporic Judaism. It will be a corpus of unjustified assumptions.

What is justified is a distinction between the Israelite literary tradition—perpetuated in Judaism, Christianity, Samaritanism, Islam, elements of the magical papyri, some popular literature of the middle ages, and so on—and the Greco-Roman literary tradition. These two traditions, each with its characteristic themes and forms, arise independently, develop, at first, independently, and live on, [192] side by side and recognizably different, down to our own times. With the survival of the Greco-Roman tradition we are all familiar. *The Book of Mormon* is a recent example of influential work in the Israelite tradition and the poetical forms of that tradition are still alive in modern Israel. From at least the hellenistic period on, the two traditions profoundly influenced each other and various mixed forms were produced; these may be assigned to either tradition, according to the criteria chosen. By content, for instance, the *Sibylline Oracles* usually belong to the Israelite literary tradition, by form, they are Greco-Roman; *Ben Sira,* on the other hand, puts much hellenistic material into Israelite form.

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[1] M. Hengel, *Judentum und Hellenismus,* Tübingen, 1969 (Wissenschaftliche Unters. zum N.T. 10).

[2] See the material in J. Frey, *Corpus inscriptionum iudaicarum,* Vatican City, 1936-52, 2 vols.

Since the relations of literary forms are often easier to determine than those of contents, I shall make form my criterion and shall deal with pseudepigraphy in works which formally belong to the Israelite literary tradition and which were written before A.D. 70. For this purpose I have had to review the tradition from the beginning; only in this way can the pseudepigraphic works be seen in proper perspective. Beginning this review, I found myself engaged in an aspect of *Old Testament* criticism that has been almost totally neglected. U. von Wilamowitz actually said that forgery of documents was a characteristically Greek trait[3]—an opinion Willrich went too far in correcting.[4] In recent years the only monograph that touched on the subject (before the work of Dr. W. Speyer) was the apologetic tract of Sint,[5] and surveys of recent work in Form-[193]geschichte, Gattungsgeschichte, Traditionsgeschichte, Redaktionsgeschichte, and Überlieferungsgeschichte[6] indicate that none of the practitioners of these polysyllabic disciplines has paid any attention to pseudepigraphy as such, though one might suppose it a literary form important both for redaction and for the history of the way the material was handed down. This silence is not difficult to explain. "Pseudepigraphy" is, in theological circles, a discreditable term, and "forgery" is little short of unmentionable. The younger Delitzsch reported an amusing example of this attitude. He learned from his professor's lecture that *Deuteronomy* was not written by Moses, but was a work of the 7th century, composed for a specific purpose and for that purpose attributed to Moses. Deeply shocked, he went to call on the professor and asked, "Is *Deuteronomy,* then, a forgery?" "For God's sake, no!" said the professor, "That may very well be so, but you mustn't say so.[7]" So much for the unmentionable. We shall later touch on other reasons for the neglect of the question in Biblical studies.

Delitzsch's professor would no doubt have tried to justify his reluctance by saying that "forgery" is primarily a legal term properly used of checks, receipts and similar documents. When one comes to literature, especially to the literature of a primitive people, often handed down by oral tradition before being fixed in writing, and then by a complex literary tradition before reaching its present form, the varieties of "authenticity" and "falsification" become so many and so subtle that it is impossible to distinguish [194] between them with legal precision. This is true, but I think it still possible to make at least rough distinctions. There will be general agreement—for instance—that the speeches in *Job* were from the beginning admittedly literary compositions, never intended to be thought "authentic", whereas the editors who put the ten commandments into *Exodus* and *Deuteronomy* believed them, and intended them to be believed, substantially exact quotations. The New Yorker cartoon which showed a preacher declaring, "And the Lord said unto Moses, and I quote," was not basically misrepresentative of the intentions of the editors of the *Pentateuch.*

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[3] In his review of the inscriptions of Magnesia, *Hermes* 30 (1895), 192; this reference I owe to Professor Bickerman.

[4] H. Willrich, *Urkundenfälschung in der hellenistisch-jüdischen Literatur,* Göttingen, 1924 (Forschungen zur Rel. und Lit. des A. und N.T., N.F. 21).

[5] J. Sint, *Pseudonymität im Altertum,* Innsbruck, 1960. See the reviews by M. Forderer, *Gnomon* 33 (1961), 440ff. and M. Smith, *Jnl. of Biblical Literature* 70 (1961), 188*f.*

[6] K. Bernhardt, *Die gattungsgeschichtliche Forschung am A.T.,* Berlin, 1959 (Aufsätze und Vorträge z. Theol. u. Religionswiss. 8); K. Koch, *Was ist Formgeschichte*^{2}, tr. S. Cupitt, under the title *The Growth of the Biblical Tradition,* London, 1969; H. Ringgren, "Literarkritik, Formgeschichte, Überlieferungsgeschichte," *Theol. LitZ.* 9 (1966), 641ff.

[7] *Die Grosse Täuschung,* Berlin, 1920-21, I, 5.

With the word "editors" we touch, of course, on one of the major differences between the Israelite and the Greco-Roman literary traditions. In the Greco-Roman tradition the material is mostly preserved as individual works by specified authors. A book is commonly the work of a man, therefore a primary problem of literary history is to distinguish cases of misattribution and forgery. Interpolation, of course, does occur, but it is not the general rule and when it occurs it usually is not extensive; relatively few of the major documents have been produced by conflation of earlier ones. In the Israelite literary tradition, on the contrary, authors' names are rarely reported and when they are reported the reports are almost always false. Of all the preserved works written in Biblical forms, or modifications of those forms, down to A.D. 70, only one—*Ecclesiasticus*—can with confidence be attributed to a known author[8] (the books of the prophets usually contain some prophecies by the men whose names they bear, but were not composed by them). Most documents of the Israelite tradition, and especially the most important ones, have been produced, not [195] merely by conflation, but by repeated conflations by a series of editors, each of whom has interpolated and abbreviated *ad libitum.* The typical work is therefore a sort of literary onion which must be peeled layer by layer, not without tears. This is a second reason for the neglect of pseudepigraphy in *Old Testament* criticism. Critics have usually been anxious to discover the earliest, the "original," elements of the Biblical books. The question of attributions takes us away from these "original" elements into the diminishing vistas of the history of the literature. And even in this literary history the problems are to distinguish styles and schools and traditions, and to trace the development of literary forms as such, without regard to the unanswerable question, who were the individual authors?

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[8] The work of Jason of Cyrene (the source of 2 *Maccabees)* is not preserved and probably belonged by form to the Greco-Roman tradition.

Accordingly it is from false attribution, not from forgery, that we must begin our study of the pseudepigrapha in the Israelite-Jewish tradition. False attribution is relatively common—one thinks immediately of the *Psalms.* While the Psalter itself carries no attribution, many individual psalms are attributed to David, one to Solomon (72), one to Moses (90), a number to legendary singers or sages.[9] All these are examples of what I shall call "simple misattribution," that is to say, the texts have not been altered to support the error. For a number, however, the mistake has been buttressed by a pseudo-historical heading or even a brief introduction specifying the occasion in David's life for which the psalm was thought to have been composed.[10] These introductions must be older than the Septuagint text of *Psalms* which shares them with the Hebrew. Therefore historical study of Israelite texts—the attempt to discover, from their [196] contents, by inference, their historical Sitz im Leben—began in the early hellenistic, if not in the Persian period. Other examples of such simple misattribution, unsupported by alteration of the texts, are the sections of *Proverbs* attributed to Solomon, Agur, and Lemuel (or Lemuel's mother, 31:1), the *Song of Songs which is Solomon's,* the *Prayer of Manasseh,* and the *Psalms of Solomon.* The *Book of Malachi* probably belongs here, though its misattribution seems to have been produced by hypostatization of an author from a common noun.[11]

The list is interesting because it is so small and only one of the six items in it—the *Psalms of Solomon*—can be dated with certainty to the Greco-Roman period. It becomes more interesting when we consider that the great majority of the documents peculiar to the Qumran sect are not pseudepigraphic—the *War,* the *Hymns,* the *Manual of Discipline,* the *Damascus Document,* the *Blessings* (1Q Sb), the many commentaries and florilegia, so far as we can judge from their remains. This admittedly inadequate evidence suggests that the attribution of anonymous works to particular authors was a fashion which came into or developed in the Israelite tradition, perhaps mainly in the neo-Babylonian and Persian periods (though a heading in *Proverbs* (25:1) seems to indicate that this one section was already thought Solomonic in the time of Hezekiah, the late 8th or early 7th century). Whenever it came in, the fashion surely did not win universal acceptance, and our limited evidence suggests it declined in the Greco-Roman period.

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[9] Pss. 88 and 89 and the *Asaph psalms,* if Asaph should be understood as an individual. (These and all subsequent references to the *Old Testament* use the numeration in the Hebrew text. References to the apocrypha follow A. Rahlfs, *Septuaginta*^{6}, Stuttgart, N.D.).

[10] Pss. 3, 18, 34, 52, 54, 56, 57, 59, 60, etc.

[11] The misattribution of the *Liber antiquitatum biblicarum* to Philo and to Josephus is later than our period.

A closely related phenomenon is the insertion in, or attachment to, larger works of compositions which the framework attributes either to the authors or to the heroes of the larger works, but which contain nothing to support [197] the attribution and probably were not originally so attributed. Examples from the historical books are the prayer of Hannah *(1 Sam* 2:1b-10), the song of David on his deliverance from Saul *(2 Sam* 22:2-51 = *Ps* 18:3-51), and the covenant of Nehemiah *(Neh* 10:30-40). In the prophets we have innumerable interpolations and additions—the whole of "Second" and "Third" *Isaiah, Zechariah* 9-14, and so on, down to such brief but clear examples as the thanksgiving of Hezekiah in *Isaiah* 38:10-20. The prayer of Azariah in *Dan* 3:26-45 and the parables in *Enoch* (38:1-6+39:2b-8; 45:1-6; 58:1-6) show the same treatment of material continued in later times. This list does not pretend to be complete; I am anxious to avoid the quagmire of disputes about authenticity and therefore mention only a few clear examples. In some of these the misattribution may have been the result of a mere error in transcription, the loss of a heading between the end of one book and the beginning of a second. But in others it goes a bit further. When short texts are built into longer ones, even though their own wording is not changed, they are interpreted, placed in their supposed historical settings or, at least, in settings for which they were thought appropriate (the line between historical and literary evaluation is here probably indiscernible).

Perhaps therefore it is significant that this sort of misattribution unsupported by alteration of the texts is commonest in the prophets and the *Pentateuch,* especially in the priestly material, where we have not only the "Song" and the "Blessing" of Moses (Deut 32:1-43; 33:2-29), but also many laws attributed to Yahweh and one attributed to Moses that give in their texts no indication of the speaker's identity.[12] Had these laws been composed *ad hoc* by the editors they would probably have contained references to the situations and speakers for which they were intended. Since they do [198] not, it seems that they were originally anonymous and the attributions are secondary. This appearance is strongly supported by the other instances of secondary attribution of anonymous material, to which we have already referred. It is even more strongly supported by the fact that there is, I believe, no example of a law in which it is clear from the content that Moses or

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[12] Lev 1-7; 12-14:32; 24:2-9; 27:2-33; Num 19:2b-22; 30:3-16.

Yahweh is the speaker, but which is not attributed to the one or the other by the context. From the sum of this evidence we derive the impression of a considerable body of anonymous material—oracles, songs, and laws—being dealt with by editors who wish to locate such items historically—to assign the oracles and songs to named individuals, and to specify the occasions on which the laws were given. This is not to say that the editors' historical methods were adequate or their results correct, but the basic pattern of their thought was of a historical sort, as opposed to philosophical, or mythological, or mnemonic arrangement by catchwords, or whatever. Historical interest was old in Israel, where a first-rate biography of David was written already in the 9th or perhaps even the 10th century B.C. But here we see this historical interest extending itself to organize what was apparently a body of non-historical texts. This seems to take place mainly in the neo-Babylonian and Persian periods, when the *Pentateuch,* the historical books, and the prophets were all reaching their final shape. How can we explain it?

We can move towards an explanation by considering the next type of pseudepigraphic material—that produced by editors who not only misattribute their texts, but also alter them. Of course, in moving, we must pass over a great many dubious and border-line cases. There are many passages of which we shall never know whether the editor inserted them as he found them, or partially rewrote them, or made them up out of whole cloth. We shall never know, either, what the editors cut out. Finally, any discussion of [199] pseudepigrapha can deal only with the examples that are suspect, that is, with the unsuccessful ones. There will always be a margin of error produced by the forgers who succeeded and whose works are now among those from which we derive our criteria of authenticity. But there are none the less many instances in which it is reasonably clear that the content of texts has been altered significantly by editorial insertions. Sometimes old material was used for this purpose—thus *Nehemiah* was made to testify to the patriotism of his enemies the priests by insertion in his "memoirs" of a list of wall builders, no doubt from the temple archives, in which the priests stood at the head (3:1-32); another insertion made him the guarantor of an extensive collection of old genealogies (7:6-62). More often new material was manufactured *ad hoc.* Thus the author of the *miserere* (*Ps.* 51, supposedly David) could not be permitted to declare that Yahweh was indifferent to animal sacrifices; a postscript was added to specify that this was true only before the restoration of the temple (20f.). It would not do for Amos to foretell the final destruction of Israel; a happy ending, indeed, a series of happy endings, had to be added (9:8ff., 11f., 13ff.) Ezra's commission from Artaxerxes was gratifying, but did not go far enough; it had to be extended to authorize him to impose the law of Moses on the whole trans-Euphratine province *(Ezra* 7:25f.) And so on; the examples are innumerable, especially in the works of the prophets where all the postscripts introduced by, "Behold the days are coming, saith Yahweh," are *ipso facto* suspect, though a few may be genuine.[13] [200]

Even more interesting for our purpose are the passages in the *Pentateuch* which show that the text of the laws has been modified to make clear that Yahweh or Moses is the speaker. These fall into two great groups—in the priestly material the speaker is almost always Yahweh[14] and the law is the law of Yahweh, in the earlier strata of the Deuteronomic material the law is the law of Moses and Moses is the speaker. Let us look at some examples.

The ten commandments (in *Exodus* 20:2ff. and *Deuteronomy* 5:6ff.) are particularly interesting because their basic text was certainly prior to both some priestly and some Deuteronomic editors, who edited it differently. Yet the basic text already shows the alteration of which I speak. Yahweh begins by identifying himself and speaks in the first person: "I am Yahweh your god ... you shall have no other gods before me ... for I, Yahweh, am a jealous god." But with the third commandment we come to the third person form, appropriate for anonymous laws: "Thou shalt not take in vain the name of Yahweh, thy god" (not, "My name"). And this form is maintained hence forth: Yahweh (not "I") will not acquit the transgressor; the seventh day is his sabbath; he blessed and hallowed it; he gives you the land. Since this alteration occurs in both the priestly and the Deuteronomic versions, and since we have already seen enough to justify the guess that the anonymous version of the law was prior to that which represented Yahweh as speaking and specified the occasion, we may conclude that the process of personalizing and historicizing [201] the laws must have begun before the composition of *Deuteronomy* 5 and the priestly material in *Exodus* 20.

Deuteronomy 5 is particularly interesting for us because, of all the early Deuteronomic material, it alone departs from the school's customary representation of Moses as the giver of the law, to insist that Yahweh spoke these words (5:4), and at the end of the commandments it repeats, "These words Yahweh spoke to all your assembly in the mountain ... and he said nothing more," (literally, "he did not add," 5:19)—a protest against pseudepigraphy repeated, as to its essentials, in 18:16, cf. Exod 20:19. It is not unlikely to suppose that this protest was directed against one or more collections of laws attributed directly to Yahweh—the sort of thing we now find in the "Holiness Code" (Lev 17-26, of which I shall speak presently). This supposition would fit the other indications that there was originally considerable friction between the priestly and the Deuteronomic schools, and that the present *Pentateuch* is a product, not only of compilation, but of compromise.

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[13] Forms of attribution are of particular interest in *Ezekiel,* where they divide the book clearly into three parts: a first person narrative in chs. 1-11, a collection of oracles introduced (sometimes after a brief narrative) by the formula, "And the word of Yahweh (came) to me, saying, Son of man," in chs. 12-39, and a first person narrative containing two long speeches in chs. 40-48. In the central section the oracles are normally of two parts, the second beginning, "Therefore thus saith Yahweh." Departure from this regular formulaic pattern, especially by the addition of third and fourth parts containing divine postscripts, are *ipso facto* suspect and are noticeably more frequent in the oracles against foreign nations, where the temptation to bring prophecy up to date was strong.

[14] The only exception I have noticed is Num 30:2-17.

In the priestly material, by contrast to the Deuteronomic, Yahweh is constantly uttering laws. We have already remarked that a good many of those attributed to him contain nothing to show that he is the speaker; the attribution is purely external and secondary. In many others, however, he refers to himself or the text of the law somehow makes clear that he is the speaker. But in most of these the references or clarifications occur only at the beginnings and the ends of the laws, while the central parts refer to him, if at all, in the third person, an indication that they were originally anonymous.

This is particularly clear in *Leviticus* and *Numbers*. After the long body of internally anonymous laws with which *Leviticus* begins (chs. 1-7) and two chapters of narrative, comes the law on pure and impure animals: The only indications in the text of the law that Yahweh is the speaker are [202] in two verses tagged on at the end, not part of the law proper (11:44f.). Then come two more chapters of internally anonymous laws, including those on symptoms of "leprosy" and purification from it, and then again, in the law on "leprosy" in houses, a reference to the land of Canaan calls up the standard phrase, "which I shall give thee" (14:34) to indicate that Yahweh is the speaker. This leads to another verb in the first person before the text goes back to the third. In the next chapter (15) comes the law on discharges from the body; it refers to Yahweh in the third person throughout (15:14; 15:30)—only a final, appended exhortation indicates that he is the speaker (15:31). In the next chapter (16) the laws on the day of atonement regularly refer to Yahweh in the third person (16:8ff.; 12; 13, 18, 30, 34); only one explanatory phrase inserted at the very beginning (16, 2) indicates that he is the speaker. Turning to the legal material scattered through *Numbers* we find that in chapters 5 and 6 only 5:3 and 6:27 (the last verse of the law there) indicate that Yahweh is the speaker. In *Numbers* 8 and 15, the latter half of 18,[15] 28-29, and 33:50-35, the same pattern prevails. All this material seems to have been originally anonymous legislation; it has been attributed to Yahweh by minor changes in the text as well as by the editorial framework. This is the more striking because there is another strand of priestly legal material in which Yahweh constantly identifies himself as the lawgiver and makes this a major reason for observance of the law—"You shall be holy, for I, Yahweh your god, am holy." The great document of this type is the "Holiness Code" in *Leviticus* 17-26.[16] Akin to it are the law on the priests and levites in *Numbers* 18:1-24 and the directions for establish[203]ment of the cult, *Exodus* 25-31:17.[17] But even in the "Holiness Code" it is sometimes possible to see, in the light of the material already presented, that originally anonymous laws which spoke of Yahweh in the third person have been adapted to the present first person form.

Moreover, something similar appears in *Deuteronomy*. The earliest part is the code in chs. 12-26 and 28. Here the speaker is for the most part anonymous.[18] There are numerous passages in the first person, mostly exhortations "to keep and do all this commandment which I command you this day," or the like,[19] but the speaker does not identify himself nor say anything which, apart from the narrative framework, would identify him. The framework, however, has been built into the code and from the framework it is clear that the speaker is Moses. Not only are there numerous passages referring to the conquest of the land as future,[20] but the speech is located in trans-Jordan (12:10) and the speaker identified as the prophet who, at Horeb, was the intermediary between Yahweh and the people (18:16ff.). But this last passage is unique. In the other historical references—to the Ammonites (23:4ff.), Miriam (24:9), Amalek (25:17), the servitude in and deliverance from Egypt (13:11; 16:1ff.; etc.)—there is no reference to Moses although legend gave him a large part in the events referred to and although the references mostly belong to the hortatory and explanatory elements of the code, the elements that look most like additions. The lack of direct identification is particularly striking by contrast with the frequency with which the later strata of Deuteronomic material—the introductions and conclusions with which the code is now surrounded—[204] make clear that Moses is the speaker[21] and explicitly attribute the law to him.[22] The identifications extend even into the adjacent books: Joshua is provided with a "book of the law of Moses" to read to the people and to inscribe on the stones of a monumental altar on Mt. Ebal (*Joshua* 8:30-35), and the claim of Mosaic authorship is extended by later editors to the whole priestly law.[23]

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[15] Verses 26-32.

[16] Interrupted only by the anonymous laws on lamps and shewbread, 24:2-10.

[17] The "Covenant Code", Exod 20:23 - 23:19, has been so much worked over that its text now presents no clear pattern.

[18] The colophon, 28:69, is clearly a gloss.

[19] Thus 12:28; 13:1, 19; 15:5, cf. 15, 19:9; etc.

[20] So 12:9, 29; 17:14; 18:9; 19:1; etc.

[21] So especially in Deut 1-3; 5; 9; 10. But also, though less frequently in 6; 7; 8, 11.

This evidence from *Deuteronomy* seems to confirm that from the priestly material. In both the sorts of verses in which the attributions occur and their distribution alike indicate that originally anonymous laws have been attributed to individual authorities—either Yahweh or Moses—and have been given pseudo-historical seetings.

Let me anticipate several objections to this argument.

First, if these changes in person of the verbs are the result of deliberate editorial alteration to identify the speakers, why were they not carried through consistently? The answer is, I think, that the editors were not aware of the possibility of literary and historical criticism. They wanted only to identify the laws as given by Yahweh or given by Moses. For this purpose it was enough to indicate the speaker in the framework or, at most, to change the first or last sentence to make clear who was or had been speaking. Once the deity or the prophet was identified as the giver of the law, the law could be copied out in its old, familiar wording. There was nothing in it, after all, that flatly contradicted the identification, and the inference that might be drawn from references to the deity in the third person did not occur to them. [205]

Second, alterations between first person and third person constructions and between references to Yahweh and references to the prophet as the speaker are constant in the prophets. Zephaniah, Micah and Amos speak at one moment in their own persons, at the next in that of Yahweh, and the like occurs, though less frequently, in most of the genuine prophetic works. It is also found in the magical papyri and in the Hermetica, and is a phenomenon of mystical thought in general: "I am thou and thou art I." Is it not then a mistake to use this same phenomenon, when it occurs in the laws, as evidence of editorial alterations? Not necessarily. The laws are a different literary form and reflect a different mental condition. Changes of person are not customary in them and when they do occur they follow a uniform pattern—they are concentrated at the beginnings and ends of the laws and in certain types of material (explanatory and hortatory) which on intellectual grounds also seem secondary. Finally, the supposition that they are due to alteration of the text fits an understandable historical development. In the prophets changes are common, no such pattern emerges, no such development can be discerned. Accordingly we shall leave the prophets aside, but see in the laws evidence for a deliberate pseudohistoricizing process.

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[22] So 1:1ff.; 4:44ff.; 27:1, 9, 11; 28:69; 31:9ff., 24ff.; etc.

[23] Num 36:13, a colophon. For the present text of Ezra "the law of Moses" and "the law of Yahweh" are evidently identical, Ezra 7:6, 10. The more reliable firman of Artaxerxes refers to Ezra's law as "the law of the god of the heavens" sc. Yahweh, Ezra 7:12. Evidently the priestly terminology prevailed.

Third, how can this process be reconciled with the common notions of the history of Israelite law? Is it conceivable that the law was not from the first thought to have been given by Yahweh and by Moses? How can passages in *Deuteronomy* be understood as polemic against the priestly legal tradition if the Deuteronomic code was "found" by the priest of the Jerusalem temple and if the priestly legislation is, as commonly believed, half a century or more posterior to the finding of the Deuteronomic code? To these questions the answer is simply that theories must be tailored to fit the facts, not vice versa. That the laws were not originally attributed to Yahweh or Moses is—for [206] many laws—not only possible, but likely. The early desert code—"He who smiteth a man that he die shall surely be put to death" (Exod 21:12) and the like—is patently anonymous tribal law. Laws that go back to ancient Mesopotamian originals, laws that came from the shrine of El of the Covenant at Shechem or from Beth-El, were certainly not at first attributed to Yahweh, nor to Moses. The questions when and by whom Palestinian law was first "Yahwized" and "Mosaized" are therefore not only legitimate, but necessary, and it seems that in these apparent editorial changes we have indications of the dates of at least parts of the process. That the Deuteronomic law was launched by (one group of?) the Jerusalem priesthood, would suggest that some other group of priests, either in Jerusalem or elsewhere, was behind the priestly legislation, but there is no point in dogmatizing about these questions until the facts about the process are clear.

How early did the process begin? Attempts to date the elements of the priestly material are notoriously speculative; the surest evidence is the close relation of the language to that of Ezekiel. With the deuteronomic code we are on safer ground. That it was the document "found" in the temple of Yahweh in Jerusalem in 621 B.C. is the common and well-grounded opinion. But what was the original form of the code?

This brings us back to the question of Delitzsch: Is *Deuteronomy,* then, a forgery? We have now progressed from simple misattribution, through misattribution supported by alteration of the texts, to the point at which we can speak of forgery proper—the composition of a work intended *ab initio* to be falsely attributed. In writing such a work the author may have believed that his composition expressed the true teaching of the man to whom he attributed it, and he may have included much traditional material which he thought came from the pretended author, but these [207] considerations would not alter the fact that he knew he wrote the work, and he knew that the pretended author did not.

The evidence for and against supposing *Deuteronomy* 12-26 a forgery has already been partly presented. For the supposition are the facts that as the text stands the speaker in one passage (18:16ff.) identifies himself as Moses and in a number of other passages locates the speech at the time and in the area of Moses' traditional leadership. Against the supposition are the facts that these indications are rare and indirect, that most of them occur in verses which are intellectually secondary (explanatory or hortatory), that many opportunities for identification of the speaker are neglected, and that it is now generally recognized, on other grounds, that the code has been considerably interpolated, especially with hortatory material.[24] A further consideration is the fact that the code was not introduced as the work of any individual or group, but was "found" in the temple by the priest. This was later a well known method for the introduction of forgeries.[25] It is presumable that this finding was connected with pretensions of antiquity and consequent authority—otherwise why not present the work as a new composition, which its language, approximately that of Jeremiah, proves it was? But the story of the finding and introduction of the law, in *2 Kings* 22-23, speaks of the work simply as, "the book of the law" *(2 Kings* 22:8, 11) and "the book of the covenant" (23:2, 21) and the authority behind it is Yahweh (22:13ff.), he even may be represented as the author (22:19). It is only the concluding editorial comment which declares that there was no earlier king like Josiah who "returned to Yahweh with all his heart and with [208] all his soul and with all his might, according to the whole law of Moses" (23:25). In sum, *non liquet.* It is possible, indeed likely, but not certain, that the Deuteronomic code was the most influential forgery in the history of the world.

If a forgery, it must have been also one of the earliest in Israelite literary tradition. Ancient poems pretendedly spoken by legendary heroes and heroines (Jacob, Gen 49; Balaam, Num 23-24; Deborah, *Judges* 5) belong in a different category. Some prophetic oracles may have been forged before the late 7th century, but the dating of such material and the distinction between forgery and mere misattribution are highly subjective. With the work of the Deuteronomic school and the closely related interpolations of Jeremiah in the 6th century and later we are on firmer ground. The imitations of the styles are *prima facie,* but not conclusive, evidence of intent to deceive.

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[24] So G. von Rad, *Deuteronomiumstudien*^{2}, Göttingen, 1954. For the general acceptance of von Rad's conclusions in this matter see, e.g., H. Ringgren, "Literarkritik."

[25] W. Speyer, *Bücherfunde in der Glaubenswerbung der Antike,* Göttingen, 1970 (Hypomnemata 21), 128 and note.

This is the time—the neo-Babylonian and Persian periods—to which we were led earlier by the evidence for misattribution of anonymous works. Both misattribution and forgery now appear as aspects of a process of historicizing clearly related to the Deuteronomic emphasis on history as the evidence for Yahweh's choice and rulership of Israel, and to the Deuteronomic belief that divine rewards and punishments will be given through historical events. Plenty and famine, health and pestilence, peace and war are all to be explained as consequences of divine approval or displeasure, which in turn are consequences of human observance or transgression of the divine law. Of course this belief was not peculiar to this period, nor to Israel. It appears already in Amos and in Hesiod, and is conspicuous in Egypt in the "Demotic Chronicle." But in the seventh century, with the rise of the Assyrian empire, history suddenly became of unprecedented importance for the Israelites. With the other little states of the Syro-Palestinian coast, they found themselves involved in historical processes quite [209] beyond their control, which threatened them with complete annihilation. Then the sudden collapse of Assyria, the sudden rise and fall of Egyptian power in Asia, the sudden triumph of Babylon and the consequent destruction of Jerusalem, brought home to them as never before the power of Yahweh as the controller of history and the importance of history as the manifestation of the will of Yahweh. Accordingly it is not surprising that the prophets of this period are primarily concerned with Yahweh's role in history, that Yahweh's ability to foretell the course of history is for *II Isaiah* the conclusive proof that he is the one true God,[26] that the god of *Deuteronomy* is primarily the god who shaped Israel's history, that the Deuteronomic school collects the people's legends and records and shapes from them a coherent ethnic history, that hitherto anonymous laws, prophecies and literary works are now located in this historical structure, and that new material is invented to fill out the structure and supply whatever elements are needed.

Once this pattern of pseudo-historical thought had been created it was perpetuated and extended. So in the postexilic period the forgery of prophecies went on apace. With the work of the Chronicler we encounter the production of bogus legal documents, beginning with Cyrus' decrees permitting the return of the exiles and financing the rebuilding of the temple.[27] As might be expected, the author imitated

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[26] *Isaiah* 42:9; 43:8ff.; 44:6; etc. Compare the importance of prediction for the contemporary prestige of the Delphic oracle, Herodotus 1.46-55; etc.

[27] 2 *Chronicles* 36:23; *Ezra* 1:2-4; 6:3-5. *Samuel* and *Kings* already summarized or quoted royal letters, including some the author could never have seen: *2* Sam 11:15; *1* Kgs

[210] the protocol of Persian royal decrees; some scholars have therefore believed his compositions authentic. But the fact that nothing seems to have been done to carry out these decrees suggests that they were not issued, but invented. Eighteen years later Haggai could say that not one stone had been set on another in the temple of Yahweh (2:15). With *Ecclesiastes* we have a new phenomenon—a work written in a style associated with a well-known (legendary) author, but deliberately not attributed to him. The legendary author is in this case Solomon, whose 3000 proverbs were already known to 1 Kgs 5:12 and to whom the canonical book of *Proverbs* had already been attributed. But the author of *Ecclesiastes* does not claim to be Solomon. He calls himself in Hebrew Kohelet (which is probably as near as classical Hebrew could come to "Everyman")[28] and he invites comparison with Solomon by his claims to have been a king in Jerusalem, acquired all wisdom, perhaps experimented in magic, certainly lived in luxury, been a successful builder, enjoyed great wealth, and indulged in all sorts of sexuality.[29] Was this a bid for the misattribution which his work achieved, or a challenge to the reader to compare this new, disillusioned wisdom with the traditional wisdom of Solomon and decide which was wiser? The same problem—protective imitation or deliberate challenge—is posed by the *Wisdom of Solomon,* especially by chs. 7-9. Their reminiscences of the account of Solomon in *1 Kings* 3-11 are unmistakable, but did the author wish his work to be thought Solomon's autobiography, or to be contrasted, as an example of holy wisdom, with the shady record of the traditional wise man? The [211] notion of a challenge is more likely because here again the author did not call himself Solomon, though he could easily have done so. The text is not itself pseudepigraphic, but the book has been made so by misattribution.

This state of affairs is typical of most of the so-called "apocrypha and pseudepigrapha of the Old Testament," as well as of the late canonical romances. The framework of *Job, Jonah, Ruth, Esther,* the stories in *Daniel* and additions to it *(Susanna, Bel et Draco), 1 Esdras,*

21:8ff.; 2 Kgs 5:6; 10:2f, 5f.; 19:9-14. Chronicles followed and extended the practice. The line between summary and quotation is almost invisible. All these products may be attributed to the narrator's invention. They are, like conversations, speeches, prayers, etc., characteristics of ancient dramatic narrative rather than forgeries. But the Cyrus decrees could have been—and *Ezra* 6 claims that one was—used as legal precedents. This is something different.

[28] The normal form of the root is the *hiphil,* "to assemble" (transitive). The *qal,* therefore, should be the intransitive, "be assembled", and the feminine participle, since a feminine referent is not to be found in the context, should be an abstract, something like "assembledness, membership in the assembly" (δῆμος?).

[29] Eccl 1:12f., 17; 2:1-12; cf. 1 Kgs 3; 5-7; 10-11.

Judith, 3 Maccabees, the *Life of Adam and Eve,* the *Martyrdom of Isaiah,*[30] the *Enoch* and *Noah* stories (as distinct from the revelations inserted in them)[31]—all these belong to a genre which may loosely be called "the edifying romance" and none is pseudepigraphic. Works apparently pseudepigraphic do occur in the form. *Tobit,* for instance, pretends at the beginning to be the memoirs of its hero, but the total lack of embarrassment with which the pretense is dropped in the middle of the story (3:7) shows that it was never intended to be taken seriously. It is no more a pseudepigraphon than is the romance of Achilles Tatius, where the convention of narrative in the first person is maintained throughout. That the original intention of *Esther* was not much more serious is suggested by the absence of pseudepigraphy from the Hebrew text. Had the author been seriously concerned for propaganda he would surely have included transcripts of the Great King's edicts in favor of the Jews (the Greek version supplied them). To the same class belongs the Qumran *Genesis* Apocryphon where, as in *Tobit,* first person and third person narratives alternate in what is essentially a romance. To the same class, also, belong the *Testaments* [212] *of the Twelve Patriarchs,* though in some of them moral romance gives way to pure moralizing or to eschatological prophecy. That such romance was not limited to Israelite literature and that literary works could cross ethnic frontiers is shown by the framework of Ahikar: The sayings themselves are anonymous, the romantic frame begins in the third person, but changes to the first. It was read by the Jews in Elephantine and was admired by the author of *Tobit,* who made Ahikar Tobit's nephew (1:21). More serious than these, but not wholly free of romance, the first two books of the *Maccabees* are not pseudepigrapha, but anonymous. So are the great majority of the works found at Qumran. The anonymous prayers attributed to Azariah and Manasseh and the anonymous psalms attributed to Solomon have already been mentioned. The *Song of the Three Children* has been made a pseudepigraphon by the insertion of only one verse (88) which breaks the sequence of the thought; originally it was anonymous. From all this it is clear that among the so-called "Old Testament pseudepigrapha" the truly and originally pseudepigraphic works are a small minority.

Of this minority the most numerous group are letters and these are of two types. In *1, 2,* and *3 Maccabees* and in the Greek additions to *Esther* we find careful imitations, in form and content, of Greek official letters of the hellenistic period; there are more of this sort in

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[30] Or, *Testament of Hezekiah,* supposing the common dissection is in the main correct.
[31] One might add other works (like *4 Maccabees)* here excluded because by literary form they belong to the Greco-Roman rather than the Israelite literary tradition.

Josephus. As far as form goes these do not belong to the Israelite literary tradition. I mention them only because they are found, as foreign bodies, in larger works which do belong to that tradition; thus they testify to the cultural syncretism of the new age. The letter of Darius in *Daniel* 6:26-28 and that of the Jerusalem community in 1 *Baruch* carry on the tradition of the forged decrees of Cyrus and the other interpolated or forged official documents of near eastern style in *Chronicles.* Besides these, however, the letter of [213] Baruch, the letter of Nebuchadnezzar, and the letter of Jeremiah show us the rudiments of epistolary form imposed on, respectively, a confession of sins, a second confession combined with a miracle story and homiletic additions, and a diatribe against idols. These extensions of the letter form immediately remind one of Greek practice and may well be due to Greek influence, though the content—confession of sins, and so on—comes from Israelite tradition. The combination of confession of sins and miracle story is again found in the Qumran *Prayer of Nabonidus* which, with *Job, Ahikar,* and the Cyrus prophecies of *II Isaiah,* is interesting as one of the rare examples of adoption of a non-Israelite hero into the Israelite literary tradition.[32]

Next in frequency to letters, among the preserved Israelite pseudepigrapha of the period before 70, come prophecies: *Daniel* 7-12, the remains of the book or books of Noah, most of *1 Enoch,* perhaps the original form of *2 Enoch,* and the pre-70 apocalypses in *2 Baruch*[33] and *4 Ezra.*[34] These form the bulkiest and most striking body of pseudepigrapha from this period. Their characteristics, as opposed to earlier Israelite prophecy, have often been described and discussed—extended narration by the prophet speaking in the first person, explanations by angels, opening of the heavens, periodization of history, expectation of major cosmic changes, messiahs, leaders of the powers of evil, and related phenomena. Many foreign influences—Persian, Mesopotamian, Egyptian, and Greek—can be found, but I think it clear that the structures, as structures, both in literary form and in most of their essential ideas, are developments of the native Israelite tradition. Their antecedents [214] are *Jeremiah* and *Ezekiel,* especially *Ezekiel.* Their authors' practice of pseudepigraphy is also derived from the Israelite tradition, particularly from the interpolations and additions to the books of the prophets. The choice of figures other than the major prophets may be explained in part by the fact that the prophets had their books already. What they had to say was known; new revelations should be put in the mouths of new, but prestigious, speakers. It may be, too, that some awareness of the danger of stylistic and historical criticism played a role here. To write a book of Baruch, Enoch, or Noah was easier than to write one of Isaiah or Jeremiah, because no genuine writings of these pseudepigraphic heroes existed to serve as standards of comparison.

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[32] Ruth, I believe, is the only non-Israelite heroine to have a book to herself before 70. Asenath and Thecla belong to a later age.

[33] *2 Apoc. Bar.* 27-30:1; 36-40; 53-74.

[34] *4 Ezra* 4:52-5:13a; 6:13-29; 13.

However, this consideration did not prevent the forging of additional works for the greatest of the prophets, Moses. Such are *Jubilees* and the Qumran *Speech of Moses* (1 Q 22). These do show some awareness of the stylistic problem and attempt to meet criticism by imitation of various elements (unfortunately discrepant) of Pentateuchal style. In a general way, all of these Israelite pseudepigrapha imitate, more or less, Biblical style. That this was deliberate imitation, not the mere consequence of writing in Hebrew or Aramaic, can be seen from the difference between these and the legal and exegetic works of Qumran, the *Fasting Scroll,* and the earliest elements of the *Mishnah,* which show that new, non-Biblical, Hebrew and Aramaic styles were available.

In summary, then, we can say that Israelite literature was originally and customarily anonymous. When interest in history became acute in the 7th and later centuries B.C. a considerable number of anonymous works were falsely attributed to famous historical figures or to Yahweh conceived as a historical figure (that is to say, as acting in history). In many cases such false attribution was supported by changes in the text, usually minor. At the same time [215] and for much the same reasons deliberate forgery, that is, the writing of new works with the intention of passing them off as compositions of authors other than their own, appears. The first great representative of this genre is probably, but not certainly, the Deuteronomic code (Deut 12-26 and 28), written shortly before 621 B.C. Its original attribution to Moses is dubious, but it was almost certainly intended to be passed off as an ancient document. For the next three centuries imitators of the Deuteronomist, the various prophets, and the priestly laws were active and a good deal of their work is preserved in the Old Testament.

The intensification of Greek influence after Alexander's conquest seems to have brought no essential change. Romances about legendary heroes and heroines flourished, but these had already begun in the Persian period and usually were not pseudepigraphic. Even when they were pseudepigraphic, the use of a false name was merely a literary device, not taken seriously. The forgery of letters became more popular, especially of letters by alien rulers which might have importance as legal precedents. This may reflect Greek influence; so may the extension of the epistolary form to serve new purposes. But the major pseudepigraphic forms of the period between Alexander and Titus—apocalyptic visions and Mosaic legal revelations—were direct outgrowths of the earlier Israelite tradition. It was typical of that tradition, too, that pseudepigraphy did not become the usual literary form, but remained occasional. The major religious pseudepigrapha—*Enoch, Noah, Jubilees* (and the *Testaments of the Twelve Patriarchs,* a romance associated with them) are interconnected and seem to be the products of a single group, or at most of closely related groups, and definitely sectarian, not representative of the literature or of the religion as a whole. The bulk of the literature of the Israelite tradition, throughout this period, seems to have remained, as it was before, anonymous.

CHAPTER SIX

II ISAIAH AND THE PERSIANS[1]

[415} The similarity of elements in II Isaiah to elements in Cyrus' proclamation concerning his conquest of Babylon was first pointed out by Kittel in 1898.[2] Kittel noticed only a few of the parallels—that Yahweh calls Cyrus his friend, has chosen him to do his will, has taken him by the hand and called him by name to be ruler. He then turned to the question of how these parallels could be explained, pointed out that the proclamation must have followed the conquest, argued that the prophecy preceded it, and concluded that neither could be directly dependent on the other, since Cyrus, the later author, would not have drawn on the work of II Isaiah. Therefore he supposed both were dependent on what he called "the Babylonian court style," i.e. both said of Cyrus the things which were said of a King of Babylon.

Since Kittel's work there has been little study of the relationship of the texts; the most important work has been Gressman's support of the hypothesis of dependence on a "Babylonian court style" by citation of parallels from neo-Babylonian documents for the terms and concepts which Kittel had pointed out, and one or two more.[3]

This is unfortunate, because the relationship of the texts is much closer than thus indicated. The proclamation of Cyrus consists of two parts: The first half speaks of Cyrus in the third person and contains a theological justification of his conquest of Babylon, from the viewpoint of the Marduk priesthood; the second half, the proclamation proper, is uttered by Cyrus in the first person and contains an appeal for support by the Babylonian populace. This appeal is based not only on theological grounds (Marduk's support of him and his of Marduk), but principally on the ground of his record: The inhabitants of Babylon have been well treated, peace has been maintained, tribute is pouring into Babylon, the subject peoples and their gods have been sent home, and so on. This second half of the inscription must have been composed after Cyrus' conquest of the city, and to this there are almost no parallels in II Isaiah. But the first half of the inscription (though its present form was given it after the conquest) contains propaganda which the Marduk priesthood could have used before the conquest to discredit their enemy Nabonidus[4] and to persuade the people that Cyrus was Marduk's chosen servant. And almost every major element of this first half of the inscription is paralleled in II Isaiah 40-48, but not in the later chapters of II Isaiah.

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[1] My thanks are due to Prof. J. Muilenburg, Dr. J. Neusner and Prof. Frye for reading a first draft of this paper and for a number of references and helpful suggestions.

[2] R. Kittel, "Cyrus und Deuterojesaja," *ZAW* 18 (1898) 149 ff.

[3] H. Gressmann, *Der Messias* (1929) (*FRLANT* 19) 59 ff.

The parallels are of two sorts: remote and close. The remote parallels show variant forms of one theological structure. In Cyrus' proclamation this is quite simple: The god Marduk was angry with the King of Babylon, Nabonidus, because of Nabonidus' evil deeds; he therefore sought out a just ruler, Cyrus, and empowered him to punish Nabonidus and set Babylon free. In II Isaiah matters are more complicated: The god Yahweh was angry with his people, Israel, because of their evil deeds; he therefore gave them over to the Babylonians for punishment, but the Babylonians overdid it, so Yahweh was angry with them, too; he therefore sought out a just ruler, Cyrus, and empowered him to punish the Babylonians and set Israel free. It is clear that of these two theodicies the Marduk version is the primitive one, the Yahweh version a secondary adaptation to the memories and hopes of the Judean exiles.

More striking than these remote parallels, however, are the close parallels which the two texts show when they describe the god's calling of Cyrus by name, taking him by the hand and subjection of the peoples to him, Cyrus' concern for justice and the god's consequent delight in him, sending him against Babylon, accompanying him as a friend, [416] granting him a peaceful progress, and finally giving him the city.

Cyrus' Proclamation[5]	*II Isaiah*
Daily (Nabonidus) used to do evil against (Marduk's) city. He (tormented) its (inhabitants) with a yoke without relief, he ruined them all. Upon their complaints the lord of the gods became terribly angry and (he departed from) their region,	47:5f. O daughter of the Chaldeans, you showed them (the Judeans) no mercy; on the aged you made your yoke exceeding heavy. 47:6 I (Yahweh) was angry with my people, I profaned my heritage, I gave them into your (the Babylonians') hand.

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[4] The enmity of the Marduk priesthood for Nabonidus is well known from their *Verse Account* of his religious policy, *Ancient Near Eastern Texts* (hereafter *ANET*), ed. J. Pritchard, 2 ed. (1955), pp. 312b and ff.

[5] The following translation is that of A. Oppenheim, *ANET* 315b ff. The first few lines, which list the specific transgressions of Nabonidus, are omitted.

(also) the (other) gods living among them left their mansions, wroth that he had brought (them) into Babylon.	(Not paralleled in II Isaiah. Cp. Ezekiel 8-11.)
(But) Marduk ... on account of (the fact that) the sanctuaries of all their settlements were in ruins and the inhabitants of Sumer and Akkad had become like (living) dead, turned back (his countenance, his anger abated) and he had mercy (upon them).	40:1f. Comfort, comfort my people, says your God. Speak tenderly to Jerusalem and cry to her that her warfare is ended, that her iniquity is pardoned, that she has received from Yahweh's hand double for all her sins.
He scanned and looked (through) all the countries, searching for a righteous ruler willing to lead him (Marduk) (in the annual procession).	42:6 I am Yahweh, I have called you (Cyrus) in righteousness, I have taken you by the hand and kept you.[6]
(Then) he pronounced the name of Cyrus, King of Anshan, pronounced (his) name to (become) the ruler of all the world.	45:1ff. Thus saith Yahweh to his anointed, to Cyrus, whose right hand I have grasped to subdue nations before him ... I call you by your name.
He made the Guti country and all the Manda hordes bow in submission to his (Cyrus') feet.	45:14 The wealth of Egypt and the merchandise of Ethiopia and the Sabaeans ... shall come over to you ... and bow down to you.
And he (Cyrus) did always endeavour to treat according to justice the black-headed (people) whom he (Marduk) had made him conquer.	42:1ff. (Cyrus) will bring forth justice to the nations ... He will not fail ... till he has established justice in the earth.
Marduk, the great lord, a protector of his people, beheld with pleasure his (Cyrus') goods deeds and his upright mind (and therefore) ordered him to march against his city Babylon. He made him set out on the road to Babylon, going at his side like a real friend.	42:1 Behold my servant whom I uphold, my chosen, in whom my soul delights; ... he will bring forth justice. 48:14 Yahweh loves him; he shall perform Yahweh's purpose on Babylon. 43:14 I (Yahweh) will send (Cyrus) to Babylon.

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[6] The kingship of Babylon was received annually from Marduk when the god took the King's hand and was led by the King in the annual procession. It is to this that II Isaiah refers. The parallelism to this verse and to the others from 42:1 ff., cited below, is obvious and undeniable. It suggests that at least this "servant poem" refers to Cyrus. Those who do not wish to have any servant poem refer to Cyrus are free to contend that the suggestion is false and that *these* parallels, as opposed to the rest shown in the same list, are accidental. To me, that contention seems implausible, and I see no difficulty in thinking II Isaiah believed Yahweh had more than one servant. For a recent defense of the reference of 42:1 ff. to Cyrus see J. Steinmann, *Le Livre de la Consolation d'Israël* (1960), p. 109, n. 1, and pp. 111-4.

	45:1f. Thus saith Yahweh to Cyrus, whose right hand I have grasped, ... I will go before you. 44:28a (Yahweh) says of Cyrus, My friend.[7]
His widespread troops—their number, like that of the water of a river, could not be established—strolled along, their weapons packed away. Without any battle he made him enter his town Babylon, sparing Babylon any calamity. He delivered into his hands Nabonidus, the king who did not worship him (Marduk). All the inhabitants of Babylon as well as of the entire country of Sumer and Akkad, princes and governors (included), bowed to him (Cyrus) and kissed his feet, jubilant that he (had received) the kingship and with shining faces.	41:2 (Yahweh) will make his swordsmen (numerous) as the dust, (the arrows of) his bowmen like driven stubble; he will pursue and pass by in peace. 45:2 I will break in pieces the doors of brass and cut asunder the bars of iron. 47:3-10 I will take vengeance (because) ... you (Babylon) said in your heart, I am, and there is none besides me. cf. 45:14, above.
Happily they greeted him as a master through whose help they had come (again) to life from death (and) had all been spared damage and disaster, and they worshiped his name.	42:6. I (Yahweh) have given you (Cyrus) as a covenant to the people, a light to the nations, to open the eyes that are blind, to bring out the prisoners from the dungeon, from prison those who sit in darkness.

[417] Most of the themes represented in these parallels occur several times in II Isaiah, but only within chapters 40-48, inclusive.

These parallels demonstrate literary dependence.[8] That two authors should have said the same thing might be coincidence, but that they should have said *so many of the same things, in the same place, at the same time, and about the same man* goes beyond coincidence. We must agree with Kittel: Either the inscription of Cyrus is dependent on II Isaiah, or II Isaiah on it, or both on a common source; but it is incredible that the Marduk propaganda for Cyrus should have been derived from II Isaiah, while the parallels in II Isaiah, since they prophesy the fall of Babylon to Cyrus, cannot depend on the inscription, written after the fall.

That II Isaiah's prophecy of Cyrus' success was really written before the capture of the city and is not a prophecy *ex eventu* can be seen from the parallels above. They are closest when dealing with the theological background and early stages of Cyrus' campaign. When it comes to the taking of the city, the prophet begins to err. He anticipates a siege and the breaking in pieces of the doors of brass; the inscription reports that the city was surrendered without a battle.[9] The prophet was inspired to gloat over the coming humiliation of Marduk, who was to be carried away into captivity (46:1f.), and of the women (or, city) of Babylon, who were (or, which was) to be enslaved (47:1ff.). After taking the city, however, Cyrus evidently preferred to disappoint his Judean adherents rather than outrage the population of Babylonia. Accordingly, the inscription reports that the city was well treated and so does the *Verse Account of Nabonidus,* put out by the Marduk clergy, which uses the same metaphor of release from prison as II Isaiah 42:6 (quoted above, cp. *ANET* 315a end). Finally, II Isaiah contains almost no parallels to the second half of the inscription—the proclamation of Cyrus telling what happened after the capture. The only significant points of contact are the return of the captive peoples to their lands and the restoration of their temples—evidently a promise which Cyrus did carry out—and the submission, after the surrender of Babylon, of several Arabian tribes (II Isa 43:3; 45:14, Seba; the Sabaeans).[10] But the conquest of Egypt and Ethiopia which the prophet had promised Cyrus as a reward for deliverance of Israel *(ib.)*[11] did not follow in Cyrus' lifetime. All this indicates that II Isaiah was written before the capture of the city and, as Kittel maintained, cannot depend on the present Cyrus inscription.

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[7] Reading *re'i,* with Kittel, *op. cit.,* p. 150.

[8] This is not to deny that many of the elements they contain are, separately, commonplaces. Gressmann, *loc. cit.,* has shown this for the elements from the Babylonian royal ritual; for the general outline of the theodicy, cp. the Assyrian propaganda reported in 2 Kings 18:22 and 25, and partially accepted by the genuine Isaiah (10:5).

However, it is impossible to accept Kittel's hypothesis that the common source behind II Isaiah and the Cyrus inscription was merely "the Babylonian court style" (i.e. the royal titles and the references to ritual and theology behind them) . This is not adequate because the parallels just described go beyond the content of the so-called court style: They include specific references to Cyrus' campaign and his capture of Babylon. Indeed, this historical program is their chief concern, the theology, ritual and titles merely justify it. Whence can this common material, with this practical and timely concern, have come?

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[9] In spite of Herodotus' story of a siege (1.190) it is generally agreed that Cyrus took Babylon without a battle, thanks presumably to treason in which the Marduk priesthood was involved. So W. How and J. Wells, *A Commentary on Herodotus* (1912), I, pp. 146 and 390; B. van Groningen, *Herodotus' Historiën met inleiding en commentaar,* part 3 (1959), pp. 90f.; G. Gray in *The Cambridge Ancient History,* IV (1930), p. 12; A. Olmstead, *History of the Persian Empire* (1948), pp. 50f.; J. Liver, *Encyclopaedia Biblica,* IV (1962), col. 61 *(s.v. Koresh).*

[10] S. Smith, *Isaiah Chapters XL-LV,* London, 1944 (*Schweich Lectures,* 1940) referred these vss. of II Isaiah to Cyrus' subjugation of the Syro-Palestinian coast and western Arabia, before his conquest of Babylonia, but it is unlikely that any such subjugation ever took place. Cyrus' proclamation places the submission of the western nomads after the fall of Babylon. See further Liver, *op. cit.,* col. 59.

[11] Steinmann, *op. cit., p.* 120, suggests that Cyrus himself anticipated the conquest of Egypt. His evidence, Herodotus 1.153, is not of the best (see the context!), but the suggestion may be correct. If it be correct, then II Isaiah's prophecy of what Cyrus expected may be another result of the prophet's dependence on Persian propaganda.

When the question is stated in this way, the answer seems obvious: This can only be the propaganda put out in Babylonia by Cyrus' agents, shortly before Cyrus' conquest, to prepare the way of their lord. It has often been recognized that II Isaiah's prophecies of Cyrus' triumph, if circu[418]lated in Babylonia before Cyrus took the territory, were *propaganda for the Persians.* The present thesis adds that they were also *Persian propaganda*—not only was the prophet "inspired" by Persian agents, but their inspiration provided him with the content which he shares with Cyrus' proclamation, as well as his general theme.[12] Cyrus was famous for his use of subversion[13] and is commonly thought to have used it for his capture of Babylon.[14] His agents would hardly have neglected the opportunity offered by disaffected groups like the Judean exiles. And many differences between II Isaiah and Cyrus' proclamation are best explicable as consequences of the Persian agents' adaptation of their message to the interests and hopes of different groups. To the Judeans they represented Cyrus as chosen of Yahweh to punish Babylon and restore Israel; to the Babylonian priesthood they represented him as chosen of Marduk to free Babylon from the tyranny of Nabonidus. Both the prophet of Yahweh and the priests of Marduk were probably somewhat undeceived by what Cyrus actually did after taking the city—administration performance almost never lives up to campaign promises—but, as remarked above, the Babylonian interest was certainly far more important than the Judean, and Cyrus evidently did all he could to placate it, without regard for Judean dreams of vengeance. The disappointment experienced by II Isaiah must have been peculiarly painful to a prophet, so Haller was probably right in connecting it with the disappearance of Cyrus from II Isaiah's prophecies after ch. 48.[15]

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[12] The more general notion has been worked out most fully by S. Smith, *op. cit.* Unfortunately, his reconstruction of Cyrus' campaigns prior to the capture of Babylon is implausible in a number of details (see above, n. 10, and further in Liver, *loc. cit.)* and his attempts to explain particular passages of II Isaiah as references to incidents of these unknown campaigns have been justly rejected and have unjustly discredited the more general thesis. *Cf.*, however, Steinmann, *op. cit.*, pp. 53 and 101.

[13] He used it to defeat the Medes, Herodotus 1.127. The story of his troops' entering Sardis where it was not guarded suggested treason to ancient readers (Parthenios, *Erotica*, 22).

[14] See note 9, above.

[15] M. Haller, *Die Kyros-Lieder Deuterojesajas, EYXAPICTHPION (*H. Gunkel *Festschrift),* ed. H. Schmidt (1923), p. 273. I do not endorse the details with which Haller developed his suggestion.

Now if II Isaiah was in touch with Persian agents, he may have got from them other ideas as well as his propaganda on behalf of Cyrus. Such ideas might be identifiable in his works if they had hitherto been rare and comparatively unimportant—even if not unknown—in Hebrew literature. There is little absolute novelty in theological thought, so it is rarely possible to point out the absolutely first occurrence of any important idea, even in the preserved material, or to explain many chance and isolated occurrences. What can be seen clearly and what does require historical explanation is the way in which certain ideas, formerly sporadic and unimportant, suddenly find frequent expression and are made the central concerns of important works. A notorious case of this is afforded by the history of the notion that Yahweh created the world. In the preserved works of Hebrew literature it plays no conspicuous role in those which can be dated by conclusive demonstration before the time of II Isaiah. (As everyone knows, the dating of Genesis 1 and of the Psalms is a matter of dispute; they may be later than II Isaiah.) The notion does occur in occasional prophetic passages like Jer 27:5ff., but such occasional occurrences merely render conspicuous the prophets' usual neglect of the subject. Then suddenly it becomes one of the main themes of II Isa 40-48. But it was not necessary to II Isaiah's primary purpose, which was to prepare the Judeans for their proximate deliverance and convince them that it was Yahweh who would deliver them. For this, all that was needed in the deity was sufficient power to perform the acts proposed. Of course, II Isaiah's conception of Yahweh as the sole, omnipotent, creator God gave absolute assurance to his announcement of the impending deliverance, but it was not necessary to that announcement and cannot be derived from it. His immediate predecessor, Ezekiel, would have made the same announcement without any such cosmological framework. It is true that when presenting this idea II Isaiah several times suggests that it is no new doctrine, but one with which his readers should have been familiar from of old (40:21, 28 etc.). But innovators often claim antiquity for their innovations (cf. Paul in Acts 26:22: "I say nothing but what the prophets and Moses said would come to pass.") And the insistence with which II Isaiah returns to this doctrine again and again indicates that he expected it to be unfamiliar to his readers and not readily accepted nor even understood by them. These considerations make it plausible to see here the effect of some outside [419] influence, new to the Hebrew tradition. And the fact that II Isaiah got his political program from Persian propaganda for Cyrus makes it plausible to look for the source of this new influence in Persian material which, thanks to the victories of Cyrus, was first becoming important in the Mesopotamian world just at this time.

One of Zoroaster's Gathas is Yasna 44, a series of questions addressed to Ahura Mazda, of which the expected answers are "I am" or "I do." Not only is the use of such rhetorical questions a conspicuous peculiarity of the style of II Isaiah, but almost all of those particular questions which make up the cosmological part of the Gatha (vss. 3-5) are either asked or answered in II Isaiah, with Yahweh taking the place of Ahura Mazda.[16]

Yasna 44.3:1-2 Next I ask you—tell me rightly, O Lord—who was, at its birth, the original father of justice?

Isaiah 45:8: Let the skies rain down justice .... I, Yahweh, have created it.

Yasna 44.3.3-5: Who made the routes of the sun and the stars? Who is it, by whom the moon now waxes and wanes? These, and yet more things, I wish to know, O Wise One.

Isaiah 40:26: Lift up your eyes on high and see Who created these? He brings out their host by number, calling them all by name.

Yasna 44.4.1-3a: Next I ask you—tell me rightly, O Lord—who fixed the earth below and the sky of clouds, that it should not fall?

Isaiah 40:12: Who marked out the heavens with a span, enclosed the dust of the earth in a measure? 42:5: Yahweh, who created the heavens ... who spread out the earth. 44:24:I, Yahweh, who created all things, who stretched out the heavens alone, who spread out the earth. 45:12: I made the earth and created man on it; it was my hands that stretched out the heavens and I commanded all their host. 45:18: The creator of the heavens, he is the (one) God; the shaper and maker of the earth, he is the one who established it. 48:13: My hand laid the foundation of the earth and my right hand spread out the heavens.

Yasna 44.4.3b-4: Who has set in place the waters and the plants? Who has yoked their coursers to the wind and the clouds?

Isaiah 40:12: Who measured the waters in the hollow of his hand? 41:19: (I, Yahweh,) will put in the wilderness the cedar, the acacia, the myrtle and the olive. I will set in the desert the cypress, the plane and the pine together. 44:3: I will pour water on the thirsty land and streams on the dry ground.

Yasna 44.4.5: Who is, O Wise One, the creator of right thought?*

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[16] The following translation of these vss. of the Gatha is based on the translations of J. Duchesne-Guillemin, *Zoroastre* (1948), pp. 205ff., and H. Humbach, *Die Gathas des Zarathustra* (1959), I, p. 117. The differences between these translations in particular vss. are not important for the present purpose.

* [J. Duchesne-Guillemin, "Religion et politique de Cyrus à Xerxes," *Persica* III (1967-68) 1ff., thinks "right thought" a false translation—it should be "the Good Mind" or "Bonne Pensée"; therefore, he argues, there is no parallel to Isaiah, and the other parallels are all commonplace and insignificant.]

Isaiah 40:13: Who directed the spirit of Yahweh or as his counselor, instructed him? Whom did he consult, who explained things to him and taught him the path of justice .... and showed him the way of understanding? 45:19: I, Yahweh, speak the truth; I declare what is right.

Yasna 44.5.1-3: Next I ask you—tell me rightly, O Lord—what craftsman made light and darkness, what craftsman made sleep and waking?

Isaiah 45:7: I form light and create darkness; I make, good and create evil. I, Yahweh, do all these things.

Yasna 44.5.4-5: Who made morning, afternoon and evening, to indicate to the intelligent his task?

These last verses are not paralleled in II Isaiah; cp. Ps 104:23.

The above parallels hardly suffice to suggest literary dependence of II Isaiah on Yasna 44. But they do suggest relationship to the same tradition. The question as to the ultimate source of this tradition cannot be discussed in this paper.[17] But it can be argued that the tradition, whatever its ultimate source, came to II Isaiah from the Persians and in a form similar to that in Yasna 44. The similarity of form is scarcely concealed by the fact that in II Isaiah the questions to the deity have been remade into rhetorical questions addressed to the reader, or direct statements made by the deity *motu proprio.* And that the questions came to II Isaiah from the Persians is indicated by the fact that in the 15 chapters of II Isaiah the cosmological material, like the political propaganda, is concentrated in chs. 40-48. In these chapters the fact that Yahweh created the world is often and expressly asserted; in the subsequent chapters, though it may be supposed, it is not explicitly mentioned save in 51:13ff. So the cosmological material, which has Persian parallels, and the political material, which had a Persian source, are found almost exclusively in the same section of the book. Moreover, in that section, they are most often found in close connection. Thus:

42:5-6: Thus says the God Yahweh, who created the heavens and stretched them out, who spread forth the earth and what comes from it, ... I am Yahweh, I have called you in righteousness; I have taken [420] you by the hand and kept you; I have given you as a covenant to the people, ... to bring out the prisoners from the dungeon (cf. *ANET* 315a, end).

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[17] Humbach, *op. cit.,* II. 53, says that the questions probably come from an old catechetic tradition of which traces are also found in the Vedas; R. Frye, in a letter to the writer, suggests that the source may have been Mesopotamian.

44:24-8: I am Yahweh, who made all things, who stretched out the heavens alone, who spread out the earth ... who says of Cyrus, He is my friend and he shall fulfill all my purpose.

45:1-8: Thus says Yahweh to his anointed, to Cyrus, whose right hand I have grasped to subdue nations before him ... I will go before you ... I will break in pieces the doors of bronze and cut asunder the bars of iron ... that you may know that it is I, Yahweh, the God of Israel, who call you by your name.... I gird you, though you do not know me, that men may know ... that there is none besides me; ... I form light and create darkness; I make good and create evil; I am Yahweh who do all these things. Shower down, O heavens, from above, and let the skies rain down justice; let the earth open, that salvation may sprout forth, and let it cause righteousness to spring up also. I, Yahweh, have created it.

45:12-13: I made the earth and created man upon it; it was my hands that stretched out the heavens and I commanded all their host. I have aroused him in justice and I will make all his ways straight; he shall build my city and set my exiles free.

48:12-15: I am the first and I am the last; my hand laid the foundation of the earth and my right hand spread out the heavens ... Yahweh loves him; he shall perform his purpose on Babylon and his arm shall be against the Chaldeans. I, even I, have spoken and called him; I have brought him and he will prosper in his way.

Thus we have two closely connected themes, both concentrated in the same eight chapters of a fifteen-chapter work, one of them—the political propaganda—absolutely new to the Hebrew tradition and certainly derived from the Persians, the other—the cosmology—never before so important in the Hebrew tradition, but found in Persian material and there expressed in a form strikingly similar to the one it has here. Given these facts it is hard to avoid the conclusion that the cosmology, as well as the political propaganda, came to II Isaiah from the Persians.

To Professor Elias Bickerman I owe the observation that the connection of cosmology and political propaganda is continued in later Persian material, for instance, in the inscription of Xerxes *(ANET* 316 b ff.): "Ahuramazda is the great god who gave (us) this earth, who gave (us) that sky, who gave (us) mankind .... who made Xerxes, the king, (rule) the multitudes (as) only king." On this basis, Prof. Bickerman suggests that the source of the material common to II Isaiah and the Cyrus inscription may have been a Persian prophecy promising Babylon to Cyrus in the name of Ahuramazda, the creator of heaven and earth. II Isaiah's insistence that Yahweh is the creator might thus be seen as reaction, but, reaction or not, its form and presumably its content have been shaped by the Persian tradition.

Particularly impressive is the passage from ch. 45, vss. 1-8, summarized above. This begins with an address to Cyrus and promises to give him Babylon, then goes on to guarantee the promise by declaring that its maker, Yahweh, is the only God and the creator. Of his creations, seven are listed (vss. 7-8): Light and darkness, good ("peace") and evil, justice which comes down from the heavens, and salvation and righteousness *which spring up from the earth.* In early Zoroastrianism Ahura Mazda seems to have been the creator of seven supernatural entities, and prime among his creations were light and darkness, the good spirit and the evil spirit,[18] and justice, while the last of the seven were immortality and wholeness, which one is tempted to equate with II Isaiah's "salvation and righteousness," since the Persian concepts are associated with the waters and the trees, which spring up from the earth.[19] The peculiarity of the expression in II Isaiah (of which Ps. 85.12 is probably an echo, as Duhm remarked)[20] is made clear by contrast with Hosea 2.23f., which may have inspired it. In Hosea the blessings are natural—rain from above and corn and wine and oil from the earth. In II Isaiah they have been transformed into supernatural entities. The influence of Persian thought would explain the transformation.

How far such influence is to be traced in II Isaiah is a question which cannot be opened in this paper. If II Isaiah was in touch with the Persians and was influenced by them, then a number of the aspects of his work—the violent opposition to false gods, the emphasis on the truth of the divine utterance, and yet others—recall motifs conspicuous in the Gathas. If this paper be thought to have made a strong case, such matters will require further investigation. [421]

Finally, it should be said that to have established the existence of an influence is not to have explained why the influence was influential. The reasons for which II Isaiah chose to take up, recast and develop the Persian material are probably to be sought, not in the material itself, but in the apologetic needs of the Yahwist community in Babylonia, and in the development of devotional rhetoric within the Israelite tradition.[21] At all events, the question of their nature has been deliberately excluded from this discussion.

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[18] R. Zaehner, *The Dawn and Twilight of Zoroastrianism* (1961), pp. 50 f.

[19] J. Darmesteter, *The Zend-Avesta, Part I, The Vendidad* (1880), *(Sacred Books of the East,* IV), *lxxi.* Notice the association of waters and plants in Yasna 44.4.3b, quoted above.

[20] B. Duhm, *Das Buch Jesaia,*^{3} Göttingen, 1914 (*GHAT* III.1), *ad loc.*

[21] A development discussed in "The Common Theology of the Ancient Near East" (above, chapter 2).

CHAPTER SEVEN

EAST MEDITERRANEAN LAW CODES OF THE EARLY IRON AGE

[38] Professor Ginsberg's absolute dominion over the vocabulary and text of the Hebrew Bible are such that when scholars in this field speak of paying tribute to him the metaphor may almost be taken literally: he has done so much to elucidate the text that a share of its products is owed him as a legal debt. If so, the present article may be justified by Isa 45:14—tribute shall be brought also from overseas. While exegesis must always be based primarily on the Hebrew text, it is enriched by contributions from alien cultures.

This principle is familiar, and much has been done to uncover the sources of biblical material in earlier civilizations; an outstanding example is Professor Ginsberg's work in Ugaritic. Equally rich opportunities are afforded by the study of the gentile world contemporary with the composition of the biblical books, for those books reflect not only the ideas of earlier ages, but also the concerns, and the social and political circumstances, of their own.

Their own age—mainly the eighth, seventh, and sixth centuries B.C.—resembled in many respects the high middle ages of the tenth to twelfth centuries A.D. in western Europe; it saw the flowering of a new civilization grown up after barbarian invasions had destroyed the great culture of an earlier age. The destruction of the late Bronze Age culture had perhaps been more sweeping than that of the Roman; in most of the eastern Mediterranean countries the old forms of writing, as well as the old literatures, had been almost wholly lost, whereas in western Europe the Latin alphabet and much of Latin literature survived. On the other hand, the centers of the older culture that held out in Egypt, Mesopotamia, and a scattering of north Syrian and Cilician cities were stronger and more influential in the Mediterranean world than was the Byzantine empire in relation to western Europe. But to pursue the comparison further would hardly be useful. It serves to characterize in general the age of the Israelite monarchies. We have now to look at the legal developments of that age, not only in Israel and Judah, but in all the eastern Mediterranean countries where new cultures were developing or old ones were being made over.

Even the new cultures were based to some extent on the survival of urban centers or at least of bodies of relatively settled population that carried on legal traditions attested already in the great Bronze Age codes. The influence of such traditions (not, of course, of the codes themselves!) on Greek law has been studied in detail and doubtless exaggerated by Mühl;[1] their influence on the law codes of the OT has been exaggerated by a whole literature,[2] but should not therefore be denied. We must remember, however, that we are dealing here with something quite different from the influence of the late Roman codes on modern European law. Admittedly the code of Hammurabi, from about 1775 B.C., is separated from the Deuteronomic code of 621 B.C. by an interval about equivalent to that which separates Deuteronomy from the Codex Justinianus of 529 A.D., or the latter from the Code Napoleon of 1804. But Justinian knew Deuteronomy and Napoleon knew both Justinian and Deuteronomy—for that line there is a continuous, demonstrable cultural and literary tradition—while we have no evidence and no reason to believe that the compiler of the Deuteronomic code knew the Code of Hammurabi.[3] [39]

The parallels between these two codes are presumably to be explained by the survival of bronze age elements in the laws of Palestinian city states like Jerusalem which were incorporated into the kingdom of David without loss of their traditional order.[4]

Besides exaggerating the influence of Bronze Age codes on those of the early Iron Age, neglect of the temporal, political, and cultural gulf between the two ages has distracted attention from the new legislative activity of the early Iron Age and has concealed the extent and probable uniformity of the new legislation. Each of the newly developing states had to have its own laws, and in each these were based in part on the earlier laws of the country as preserved by the survivors, in part on the practices of the invaders, in part on the needs of the new situations and decisions of the new rulers. Hence arose new legal systems which eventually were given written forms in new codes. For knowledge of these codes we depend on the accidents of literary tradition and archaeological discovery. These give us, for the most part, only glimpses of what was going on. But we do learn of a considerable number of codes from the end of the eighth, the seventh, and the sixth centuries; we can see and, considering the economic developments of the time, we can understand that this was a period of general legal revision and innovation; we should therefore do well to consider all these codes as members of a single class, united not by direct interdependence, but as different, albeit similar, adjustments to a common set of circumstances. The purpose of this paper, therefore, is simply to point out the existence of this class *as a class,* to list the members known to me, and to indicate the evidence for certain elements of their legislation that seem to me significant for their time.

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[1] M. Mühl, *Untersuchungen zur altorientalischen und althellenischen Gesetzgebung,* 2nd ed. (Aalen, 1963) = Klio Beiheft 29.

[2] Bibliography in O. Eissfeldt, *Einleitung in das Alte Testament,* 3rd ed. (Tübingen, 1964) (hereafter Eissfeldt), 282, 291f., 310.

[3] This is not to deny that the Code of Hammurabi continued to be copied in Mesopotamia. The influence of its formulae on laws of the Persian and even of the Parthian period is remarked by M. Meuleau, *Mesopotamien in der Perserzeit,* in *Fischer Weltgeschichte,* 5, *Griechen und Perser,* ed. H. Bengston (Frankfurt a. M., 1965) (hereafter Meuleau), 351f.

[4] Jebusites were still landowners in Jerusalem after the Davidic take-over, 2 Sam 24:18ff.

In Egypt we hear of legal reforms by Bokchoris (720-715)[5] and Amasis (568-525),[6] and of a codification under Darius (522-485).[7] Pirenne reports a fragment of a code on contracts from this period, but not precisely dated.[8] In Palestine we have the three codes of which at least fragments are preserved in the Pentateuch: the 'Covenant Code' in Exod 21-23 (its date is disputed and we shall come back to it), the

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[5] Diodorus 1.79.1 (borrowers who have not signed bonds may clear themselves by denying the debt on oath); 94.5 (laws on royal prerogatives and on contracts). Diodorus' reports are defended by J. Pirenne, *Histoire de la civilisation de l'Égypte ancienne, troisieme cycle, de la* XXI^e *dynastie aux Ptolémées* (Neuchâtel, 1963) (henceforth Pirenne), 89ff.; Drioton and J. Vandier, *L'Égypte,* 4th ed. (Paris, 1962) (henceforth Drioton-Vandier) are more skeptical, but find evidence of legislation from the beginning of the Ethiopian period, and perhaps to be attributed to Bokchoris, permitting small landowners to mortgage and sell their properties, p. 587, cf. 544. E. Seidl, *Ägyptische Rechtsgeschichte der Saiten-und Perserzeit* (Glückstadt, 1968) = Ägyptologische Forschungen 20 (henceforth Seidl), finds details of Diodorus' account confirmed by the preserved documents (pp. 44, 65) but no evidence for a substantial change under Bokchoris in forms of establishing or denying indebtedness (p. 84). Further opinions in A. Burton, *Diodorus Siculus, Book I, a Commentary* (Leiden, 1972) = Études preliminaires aux religions orientales dans l'empire romain, 29 (henceforth Burton).

[6] Diodorus 1.95.1, again defended by Pirenne, 165ff. Drioton-Vandier, 587f., accept the report of Herodotus 2.177 that Amasis introduced a law requiring annual report of income. Seidl finds a considerable change in Egyptian law datable to the period of Amasis—especially a decline in the use of oaths—but he objects that this is in private law whereas Diodorus speaks of a reform primarily in public administration *(die Verwaltung).* Diodorus, however, says *hon historousi ta peri tous nomarchas diataxai kai ta peri ten sympasan oikonomian tes Aigyptou.* Since the nomarchs were, *inter alia,* the legal authorities before whom private transactions were often ratified, this may cover private procedure too.

[7] Diodorus 1.95.4, confirmed by the verso of the 'Demotic Chronicle' papyrus (Bibliotheque Nationale, No. 215), ed. W. Spiegelberg, *Die sogenannte demotische Chronik* (Leipzig, 1914) = Demotische Studien 7 (henceforth Spiegelberg), 30ff. This confirms also Diodorus' report that Darius' codification was made with the cooperation of the priests. Classic is the discussion by E. Meyer, 'Ägyptische Dokumente aus der Perserzeit,' *Sitzungsberichte,* Berlin 16 (1915), 287ff. (hereafter Meyer), esp., 308ff. Against N. Reich, 'The Codification of the Egyptian Laws by Darius,' *Mizraim* 1 (1933), 178ff. (hereafter Reich), see E. Bresciani, 'La Satrapia d'Egitto', *Studi Classici e Orientali* 7 (1958), 154 and n. 6.

[8] Found at Tounah el-Gabal, Pirenne, 276 and note 77, citing *Chronique d'Égypte* 14 (1939), 278f. Pirenne supposes the fragment comes from the code of Darius; an article from it, which he quotes, deals with the leasing of farm land; the landlord is to provide the grain for sowing and to get it back before the rent is given. [Whether this should be called a code is dubious; see G. Hughes, "The Demotic Legal Code of Hermopolis West," *Institut francais d'archéologie orientale, Bibliotheque d'étude* 45 (1975)—a reference I owe to E. Bickerman].

Deuteronomic code in [40] Deut 12-26 and 28, of which the basis was almost certainly the book 'found' in the Jerusalem temple in 621 B.C., and the 'Holiness Code' in Lev 17-26, of which the date is again disputed but which stands so close linguistically to the Book of Ezekiel that the burden of proof lies on those who would deny their approximate contemporaneity.[9] The Persian government sent Ezra to Jerusalem in 458[10] to enforce a (written) law of his god which he had in his possession (Ezra 7:14), and which does not seem to have been identical with any of the known Old Testament documents.[11] From Mesopotamia we have a fragment of a Neo-Babylonian collection of laws.[12] From Persia Darius' references to 'my law', documentary references to 'the king's law', and parallels in Darius' inscriptions to the code of Hammurabi, have led some scholars to hypothecate the issuance of a royal code shortly after 519[13]—that is to say, at the same time as Darius ordered the codification of Egyptian law, which is supposed to have been begun in 519 and finally approved in 495.[14] Only half a century after these codes comes the traditional date of the *Twelve Tables* in Rome.[15]

It is from Greece, however, that we have most traditions about legal codification in these centuries, as well as fragments of a number of codes. Besides the possibly legendary Lycurgus[16] we hear of Zaleucus in Locri Epizephyrii,[17] dated in the 660's, and Charondas of Catana in

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[9] The directions for reestablishment of the Jerusalem cult, in chs. 40-48 of Ezekiel, are a code of special character and dubious authorship and date; we shall leave them aside.

[10] M. Smith, *Palestinian Parties and Politics that Shaped the Old Testament* (N.Y., 1971) (hereafter *Palestinian Parties),* 119-23.

[11] It seems to have had a ritual calendar in which the feast of booths almost immediately followed the beginning of the new year (Neh 7:72; 8:1f., 13-17) and was itself followed on the twenty-fourth of the first month by a great fast (Neh 9:1).

[12] Translated by T. Meek in *Ancient Near Eastern Texts,* ed. J. Pritchard, 2nd ed. (Princeton, 1955) (henceforth *ANET)* 197f. Laws on the responsibilities of tenants and landowners, terms of sale for property and slaves, theft, dowry (at least five laws) and inheritance.

[13] References in R. Frye, *The Heritage of Persia* (Cleveland, 1963), 100; references, parallels, and hypotheses in A. Olmstead, *History of the Persian Empire* (Chicago, 1948) (hereafter Olmstead), 119-34; essential hypothesis accepted by Meuleau, 352. Meuleau would accept, as fairly certain elements of the content, laws on tariffs, sales of slaves, deposits, and jurisdiction.

[14] Reich, 180.

[15] *Fontes Iuris romani anteiustiniani,* eds. S. Riccobono et al., 2nd ed. (Florence, 1941) (hereafter Riccobono), I (Leges), 23ff., with a considerable bibliography of the attackers and defenders of the traditional account of the origin of the code. After preliminary rules on legal actions the *Twelve Tables* turn first to laws on collection of debts.

[16] Recently discussed by W. Forrest, A *History of Sparta* (London, 1968), 40ff., who argues for the historicity of Lycurgus and would date his work in 'the early seventh century' (p. 60).

[17] Aristotle, *Politics* 2.12.6f. (1274a) and frag. 548, Rose; Ephorus in Strabo 6.1.8; Eusebius, *Chronicon,* Olympiad 28, dates him in 663. See the discussion by F. Adcock, 'Literary Tradition and the Early Greek Code-Makers,' *The Cambridge Historical*

Sicily,[18] a generation later, Pheidon of Corinth,[19] Philolaus of Corinth,[20] in the first half of the seventh century, Pittacus of Mitylene[21] (c. 650-570), Androdamus [41] of Rhegium,[22] and Draco[23] and Solon[24] of Athens, active about 624 and 594 respectively, not to mention more shadowy figures like Thales of Crete, Onomacritus of Locris[25], and Epimenides.[26]

The literary tradition about this legislation is supported by archaeological evidence. A fragment of a stela from Chios contains a collection of constitutional laws; it was inscribed about 575-550 B.C.[27]

Journal 2 (1927), 95ff. (henceforth Adcock) esp. pp. 100f.; K. von Fritz in *Paulys Real-Encyclopadie (= RE) s.v.* Among his laws reportedly (Strabo, loc. cit.) were provisions simplifying contracts and fixing penalties. Adcock would assign to him a Locrian law reported by Aristotle, *Politics* 1266b, prohibiting sale of an individual's land (except in dire need).

[18] Aristotle *Politics* 2.12.7f. (1274a); discussion by Adcock 101f.; Niese in *RE, s.v.* Although Aristotle (loc. cit.) thought nothing peculiar to him but the penalization of false witnesses, Niese calls attention to the rule that his laws were to be learned by heart. Theophrastus, frag. 97 end, Wimmer, says he denied legal recourse to lenders who lent without security.

[19] Aristotle, *Politics* 2.6.13 (1265b) calls him one of the oldest of the lawgivers, and says he tried to arrange that the number of landed properties should remain equal to the number of citizens.

[20] Aristotle, *Politics* 2.12.8ff. (1274a-b) attributes to him laws on adoption to keep the number of family plots of land constant.

[21] Aristotle, *Politics* 2.13 (1274b), only laws, not a constitution, cf. Diodorus 9.11.1ff.; Stobaeus *Florilegium* 44.22, etc.; F. Schachermeyr in *RE s.v.*, with additions 20.2 (1950), 2557f. Theophrastus, frag. 97, Wimmer, credits him with a ruling that real estate could be sold only in the presence of the civil authority. Schachermeyr's summation *(RE* 20.1.1869) runs as follows: 'Im allgemeinen dürfte die Zielrichtung der Gesetze die nämliche gewesen sein wie bei Solon und den Tyrannen: Sie galt der Überwindung der Wirtschaftskrisis (die Überwachung der Kaufverträge durch die Beamten mag von P. zum Schutz des kleinen Mannes angeordnet worden sein), der burgerlichen Zucht, und wandte sich auch gegen den um sich greifenden Luxus.'

[22] Aristotle, *Politics* 2.14 (1274b); laws on homicide and women's inheritance of property.

[23] Aristotle, *Politics* 2.13 (1274b) and *Constitution of Athens* 3.1; 4.1ff.; 7.1; 41.2: In his time the laws were first written down. On the apparent contradictions between Aristotle's statements, not to mention the other sources, see J. Miller, 'Drakon 8', *RE s.v.*, and M. Levi, *Commento Storico alla Respublica Atheniensium di Aristotele* (Milan, 1968), 2 Vols. = Testi e Documenti per lo Studio dell'Antichita 19, on the passages cited.

[24] See E. Ruschenbusch, ΣΟΛΩΝΟΣ ΝΟΜΟΙ (Wiesbaden, 1966) = Historia Einzelschriften 9 (hereafter *Nomoi).* In his preserved poems Solon prides himself particularly on his refusal to become a tyrant, his release of citizens enslaved for debt and his cancellation of mortgages on land, *Anthologia Lyrica Graeca,* ed. E. Diehl, 3rd ed. (Leipzig, 1949), *Solo* frag. 24 and the comment of Plutarch, *Life of Solon* 15.5ff.

[25] Both in Aristotle, *Politics* 2.12.7 (1274a), etc.

[26] O. Kern, 'Epimenides 2,' in *RE* 6.1 (1907), 173ff. s.v. Wholly legendary figures like Cecrops of Athens and Minos of Crete are of course irrelevant. I deliberately exclude Pythagoras and philosophic legislation as a different set of problems, and fifth-century and later legislators as after the period here discussed (though they often show continuance of the same concerns, as do the later strata of priestly legislation).

[27] Recently republished by R. Meiggs and D. Lewis, *A Selection of Greek Historical Inscriptions* (Oxford, 1969), No. 8 (1), with bibliography.

From Gortyn in Crete comes the famous 'Code' inscribed in the fifth century, perhaps about 480-450 B.C.[28] This is thought by its latest editor, Willetts, to be a tabulation of statutory legislation amending prior—possibly seventh century—written laws on various topics.[29] In the sanctuary of Marazà at the site of ancient Locri Epizephyrii about 30 bronze tablets containing what appears to be the ancient law of Locris were discovered in 1959.[30] From Athens, finally, we have considerable fragments of the late fifth century recasting or recopying of the laws of Solon and some of those of Draco.[31]

In 1927, Adcock[32] made a strong case for distinction between two bodies of tradition about the early legislators—that down to and including Aristotle, which is 'reasonably consistent, matter-of-fact, and credible', and the secondary tradition, after Aristotle, which 'has three main characteristics: (a) the dates of these lawgivers go adrift and they are brought into connexion ... with philosophers in defiance of chronological probability; (b) their laws take on an ethical not to say moralizing complexion, and the matter-of-factness... found ... in laws cited in inscriptions disappears; (c) laws are now attributed to this lawgiver, now to that'.[33] This secondary tradition he explains as the result of the intention to represent philosophy as the source of statecraft, the influence of Plato, the fashion of moralizing, and 'the unscrupulous disregard of historical truth in the pursuit of literary or philosophical ends'[34] (what is now described as 'making the material relevant'). This secondary tradition is represented in Posidonius, Cicero, Diodorus, Iamblichus, Diogenes Laertius, and others.[35]

Accepting Adcock's distinction as a working hypothesis we may disregard the later Greek tradition and now survey what can be known from early material about this archaic Greek legislation that arose between the mid-eighth and the early fifth centuries. At the same time we must recall what is known of Egyptian and Mesopotamian laws in this period, to see what common traits may be found in all the material and what generally [42] effective causes may be supposed to account for them.

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[28] So R. Willetts, *The Law Code of Gortyn* (Berlin, 1967) = Kadmos, Supplement I (hereafter Willets), 8.

[29] Willetts, p. 9. But neither does the text of the code read like that of a commentary or collection of amendments, nor does Willetts' commentary indicate what laws he thinks were amended.

[30] Council for Old World Archaeology, Survey I (1959) Area 4, p. 7, citing the *New York Times*, Jan. 22, 1959. [These now seem to be rather contracts (leases of land from the temple?); see A. de Frareciscio, "Stato è società in Locri Epizefiri," *L'archivo dell' Olympion Locrese*, 1972—a reference I owe to E. Bickerman].

[31] Those of Solon have been studied in *Nomoi;* on Draco, see E. Ruschenbusch, 'ΦΟΝΟΣ,' *Historia* 9 (1960), 130ff. (henceforth *Phonos).*

[32] Op. cit. (above, n. 17), 95f., 102f.

[33] Adcock, 102.

[34] Adcock, loc. cit.; he goes on to cite the account of Charondas' work in Diodorus 12.11ff. as 'the most notable illustration of these characteristics'.

[35] Adcock thinks its main source was Hermippus, the pupil of Callimachus (p. 106).

Commentators on individual codes or legislators have often connected this legislation with the changing social and economic conditions of the time—the increase of trade, the increasing difference between the rich and poor, the increasing supply of and opportunities for venture capital; hence, more loans, more selling out and enslavement of insolvent debtors, and the growth of social discontent. For Egypt, Pirenne argues strongly—or at least warmly and at length—that the reforms of Bokchoris are to be seen 'as the consequences of grave social conflicts provoked by the indebtedness of the lower classes,'[36] and he sees the essential of Amasis' work as liberation of the peasantry from control of the temples and their establishment as independent proprietors or tenants of their lands, obligated to pay only taxes to the state or rent (but not services) to the temples.[37] From the evidence described above (notes 5 and 6), it would seem that the legal reforms of Bokchoris and Amasis necessitated clear written evidence to establish indebtedness (so perhaps favoring borrowers who had got their money informally, before these requirements were imposed, and could now deny their debts), but also made it easier for small landowners to mortgage and sell their properties, thus increasing the opportunities for capital investment at the expense of the peasantry. (It is to be expected that in such a changing society some legislation from time to time should favor the capitalists.)

Mesopotamian laws against usury seem to Meuleau explicable at least in part by the Persian government's policy of hoarding precious metals. In Susa alone Alexander found 270 tons of gold and 1200 tons of silver—the undistributed yield of taxes which had to be paid in money. Hence the price of capital in Mesopotamia steadily rose during the Neo-Babylonian and Persian periods. Interest rates rose 10% during the reign of Nebuchadnezzar, more than 20% during those of Cyrus and Cambyses, 40% to 50% by the end of the fifth century.[38]

The explanation is persuasive and is not seriously discredited by the fact that the laws against usury often antedate the Persian period. Presumably the Persian policy did not in this respect differ fundamentally from that of the Babylonians before them, or of the Assyrians before the Babylonians. All these empires had been essentially capital collecting concerns, had steadily drained off the wealth of their subjects, and had thus aggravated the situation these laws are thought to reflect.

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[36] Pirenne, 89.

[37] Pirenne, 165ff.

[38] Meuleau, 343, where he also discusses the development of banking from the seventh century on.

So little is known of Persian law or of the codes the Persians sponsored in Jerusalem and Egypt that hypotheses are hardly worth while. The most that can be said is that two of the topics Meuleau would assign to Darius' law—sale of slaves and deposits[39]—and the rental terms assigned by Pirenne to the Persian code in Egypt[40] deal with subjects relevant to the social changes of the times. So do three of the first four preserved provisions of the Neo-Babylonian laws.[41] Again it would hardly seem an accident that collection of debts stands first among the particular actions—as opposed to rules on legal procedure, perjury, etc.—in the *Twelve Tables.* But the *Twelve Tables* belong to a later period and the Mesopotamian evidence is inconclusive.

In Greek law, on the other hand, the evidence is clear and widespread. Clearest of all are, of course, the explicit statements of Solon, but Zaleucus' limitation on the alienation of landed property,[42] Charondas' denial of legal validity to loans not correctly documented,[43] Pheidon's attempt to keep the number of citizens equal to the number of plots of land,[44] Philolaus' attempt to fix the number of family plots of land,[45] Pittacus' limitation of the conditions under which land could validly be sold,[46] are all most easily explicable as attempts to protect [43] the old peasantry from dispossession by the new capitalists. So understood, they support each other and testify to a wide concern with this problem in the archaic Greek world.

Further evidence of this concern is clear in the code of Gortyn (published about half a century after the city's coinage began—as Willetts remarks,[47] some causal connection is to be presumed). The code begins[48] with the rules for enslavement, requiring trial before seizure, penalizing the seizure of free men, etc.—evidently seizure, presumably by creditors, was the most urgent question of the day. The law on slaves leads to family law and so to inheritance. The law on inheritance (VIf.) is largely concerned to limit the rights to mortgage and to ensure the succession of entailed property to members of the family. To keep property within the family, heiresses (like the daughters of Zelophehad in Num 36) must practice endogamy (VIII). The consequences of debt, especially encumberment of property and seizure of individuals, fill up most of the remaining columns (IX-XI). Willetts in his commentary[49] is led to suppose that illegal seizure for alleged debt must have been a common abuse. Note also the specification of the proper claims of a man who ransoms a slave sold abroad (VI. 46ff.). The code as a whole is clear evidence of the concerns expressed by Solon and implied by the other legislation reviewed above.

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[39] Above, n. 13.

[40] Above, n. 8.

[41] Above, n. 12.

[42] Above, n. 17.

[43] Above, n. 18; the similarity to the law of Bokchoris (reported by Diodorus, above, n. 5) is suspicious, but the suspicion falls on Diodorus or his source and strengthens the case for Charondas' law as the model necessary for the later report.

[44] Above, n. 19.

[45] Above, n. 20.

[46] Above, n. 21.

[47] Op. cit., 9.

[48] Willetts, pp. 39ff. I cite by Willetts's columns.

In all this I have said almost nothing of the Israelite codes because the parallels between them and this material are so obvious. In the light of this legislation, can it be supposed an accident that the first provisions of the 'Covenant Code' deal with the release of Israelite slaves who have been purchased by other Israelites?[50] The well known biblical provisions for release and ransoming of slaves, periodic cancellation of debts, restoration of farm lands to the original owners, fixed distributions of food to the poor, and so on, are all cut from the same piece of cloth as the laws and social programs of archaic and classical Greece and the same patterns run through them. This I already argued in *Palestinian Parties* 139ff. Here I have tried to show (as far as possible, given the extremely fragmentary state of the evidence) that these patterns are probably not peculiarities of Greece and Israel, but are products of the social and economic situation prevalent all around the eastern Mediterranean in the archaic period (late eighth to early fifth centuries). This period has a character of its own, being a distinct stage in the unique historical development from the chaos left by the invasions at the end of the Bronze Age towards the highly developed cultures of the Persian Empire and of Classical Greece. Though overshadowed—at least politically—by its great successors, its individuality is not to be overlooked, and the documents it produced should be interpreted in the light of its own concerns and characteristics, and be understood primarily by reference to each other.

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[49] P. 78 on XI.24f.

[50] Exod 21:2ff. The title in 21:1 indicates that the preceding ritual rules are not part of the code.

PART III

ANCIENT JUDAISM

CHAPTER EIGHT

TERMINOLOGICAL BOOBYTRAPS AND REAL PROBLEMS IN SECOND-TEMPLE JUDAEO-CHRISTIAN STUDIES

[295] Let me begin with some reasons for not presenting this paper: In the first place, there is a prejudice in favor of any established terminology; from infancy we have been trained to believe that what we have been taught is right. Moreover, this belief is convenient. Secondly, to discuss the established terminology one has to use it, so the discussion involves a sort of begging the question, what the rabbis called *ṣbat be ṣbat.* Finally, those who may to some extent agree with me will want to go on to the question, what can be done about the faults of the terminology? But there is little likelihood that the established usages can soon or greatly be changed. Consequently I shall probably get some blame for wasting time.

Nevertheless, the present system seems to me so unfortunate that I want to try to describe some of the damage it does, and to indicate an alternative conceptual structure by which I think our studies could be better oriented.

First, let us look at our terminology for the sources. We commonly describe the Jewish and Christian books of this period (which, for convenience, I shall extend to about the end of the first century A.D.) as either "biblical" or "extra-biblical." "Biblical" books are classified as "Old Testament" and "New Testament," while the "extra-biblical" are apt to be called "post-biblical," "intertestamental," "pseudepigrapha," etc. "The Apocrypha" are a little, second-class canonical group of not quite definite content, a sort of theological *demi-monde,* while "apocryphal," when [296] not referring to members of this group, is a term of abuse implying that the user disbelieves, or at least dislikes and wants to discredit, the document referred to.

This common usage conceals the fact that there is no such thing as "*the* Bible." There are many different "Bibles," accepted by many different religious organizations, but it hardly needs arguing that the question of what was or is accepted by the Samaritans or the Ethiopians or the Mormons or the Council of Trent or the sanhedrin of Yabneh has no importance for questions about the original significance of books written before their times. On such matters the Holy Ghost was not a reliable source of information.

Hence to classify the finds at Qumran, for instance, into "biblical" and "extra-biblical" books is to commit a gross anachronism which, having been committed, has concealed from many scholars the question of the actual relations between the texts found there. Probably no one would deny that the Qumran sect (or the several sects from which works somehow got into the Qumran manuscripts) did distinguish between books of what they thought greater or less legal authority, supernatural inspiration, sanctity, etc. But we should not assume that their judgments about these matters coincided with those of the rabbis of Yabneh. Given the Qumran remarks about "those who plaster the wall" and "those who seek after smooth things," there seems a strong likelihood that their opinions would have differed. Consequently we should not assume that the Qumran authorities thought Genesis more sacred than Jubilees—indeed, the reverse is probable. And for practical legal questions the Damascus Document may have taken precedence of both, as Mishnah and Talmud take precedence of Old Testament texts in Jewish law. Undoubtedly, too, the Qumran sectarians revered the biblical prophets, but they also thought they themselves could do better. The secrets hidden in the prophetic texts had been revealed to the teacher of righteousness (pHab. vii 4f.); his followers were the instruments of further revelations given in their study groups, and were pledged to obey everything "that might be revealed" [297] "from time to time" (1QS ix 13). The author of the Hodayot repeatedly claims prophetic inspiration. What evidence, then, have we for supposing that whenever Qumran texts speak of "the prophets" they refer only to those canonical in the present Hebrew Bible? Given such uncertainties, grouping of the texts by literary types—legendary, legal, prophetic, etc.—would have given a better impression of the Qumran literature *as the sectarians saw it* than would the division into our anachronistic categories of "biblical" and "extra-biblical."

These categories cannot be defended by the argument that the "biblical" texts belong to an older literary period, the others are "post-biblical" or "intertestamental." "Post-biblical" is defensible only from a Jewish point of view; the New Testament texts, undoubtedly "biblical" by ordinary standards, are of course later. Even if they are left out of consideration, "post-biblical" is hard to defend: Daniel and Esther may be later than Jubilees and the Temple Scroll. "Intertestamental" is not equally bad; it is worse. It suggests that this literature can be arranged on a single line leading from one Testament to the other, whereas in fact there were many different lines of development, some running counter to others. Moreover, we need a term to describe all of this sort of literature, not only that preserved in Qumran, but also the works of the same sort that continued to be produced long after the completion of the texts eventually canonized in the New Testament. The closest relatives of the Hodayot, for instance, are the Odes of Solomon; the early apocalypses, visions of Enoch, and testaments of the patriarchs are the first examples of lines that run far down into the Middle Ages. "Intertestamental," therefore, will not do. Neither will "pseudepigrapha." Many of these texts (indeed, most of those at Qumran) are not pseudepigraphic, while many biblical texts are so (see my article in *Pseudepigrapha I,* chapter 5 above).

In sum, the current terminology is unsatisfactory because it tries to describe the material by reference to a [298] criterion, canonicity, which is both ambiguous and, for questions of origin and original significance, irrelevant.

Given such confusion in the description of the sources, we should not be surprised to find even more confusion in the historical terms based on the sources. Here the worst causes of trouble are the "sectarian" terms and their subdivisions. "Late Judaism" *(Spätjudentum)* I mention only to dismiss; the application of such a term to the Judaism of two thousand years ago should have immediately been laughed out of usage. The best to be said in its defense is that, by its survival, it warns us against those foolish enough to use it.

"Hellenistic" and "Palestinian" Judaism are more pretentious contenders because they seem to be supported by impressive bodies of evidence. On the one side are commonly marshaled the LXX, the Letter of Aristeas, Philo, the remains of the other so-called "hellenistic Jewish authors," and those Greek works of Israelite forms—in common parlance, "apocrypha and pseudepigrapha"—usually assigned to the diaspora. The impression these give is supported by the great predominance of Greek in Jewish inscriptions outside Palestine and by many miscellaneous diasporic archaeological remains. On the other side are set Ben Sira, the lost Semitic originals of many other works from the latter days of the Second Temple, the great predominance of Hebrew and Aramaic at Qumran, their less marked (roughly 65/35) predominance in Judean inscriptions before 70, Josephus' report that he first wrote his *War* in Aramaic and needed secretarial help to put it into decent Greek, and the development of rabbinic Judaism in the years after 70. Neither of these lists is anything like exhaustive; both are intended merely to indicate the sorts of extent of the evidence that has led to the common distinction of "hellenistic" or "diasporic" from "Palestinian" Judaism.

This distinction has been particularly mischievous because it has led to much circular argumentation. On the basis of supposedly Semitic or Greek traits, works of unknown origin have been attributed to Palestine or [299] Alexandria (Alexandria being the central dump for works of allegedly "hellenistic" Judaism) and these attributions have then been used as further evidence for the supposedly different characters of the Judaism of these different localities. Thus the field is now encumbered by a mass of so-called "knowledge" that is really clotted conjecture, and this pseudo-knowledge has contributed to seriously one-sided pictures of Palestinian Judaism. The most influential were probably those of George Foot Moore and of Bousset from whose *Kyrios Christos* came Bultmann's attempt to dismiss as secondary everything in the Gospels that he could represent as "hellenistic." "Hellenistic" is a particularly unfortunate term because of its ambiguity; it had better be used to refer to the historical period, B.C. 323-30.

As soon as one looks more closely at the above mentioned bodies of evidence they disintegrate, and so does the case for a general distinction between Palestinian and diasporic Judaism. First of all, what is "diasporic"? Does "Palestine" include Ptolemais, Sepphoris, Sebaste, Tiberias, Scythopolis, Caesarea, Apollonia, Antipatris, Azotus, Ascalon, Anthedon, Gaza—to mention only the bigger places? Was the Judaism in these "Palestinian" or "diasporic"? Next the authors: The Septuagintal translation (of the Pentateuch only) was reportedly made in Alexandria and the report by "Aristeas" is presumably Alexandrian. Most will dismiss without thinking what he also reported, that the translators came from Palestine. As for the translation of the other books, the field is free and the presence of Greek translations even at Qumran should warn against the assumption that they could not have been made in Palestine. Ben Sira indeed wrote in Hebrew and his work was translated by his grandson when the latter went to Egypt, but the grandson's Greek had presumably been learned in Palestine. Of the so-called "hellenistic Jewish authors" half a dozen—Eupolemus and "pseudo-Eupolemus," Cleodemus-Malchus, Theodotus, Philo the elder, and one of the authors used in Sibyllines III—have plausibly been assigned to Palestine. On the other hand, a diasporic work [300] gives us the most dramatic glorification of martyrdom to preserve purity (4 Macc, from Antioch). Again, the most picturesque miracle stories to demonstrate the sanctity and divine protection of the Jerusalem temple, those of 2 Macc, are commonly assigned to the diaspora, because the author was Jason of Cyrene. But the fact that Jason came from Cyrene does not prove that he worked only there (cp. Menippus of Gadara and Paul of Tarsus), and the letters prefixed to 2 Macc do prove that our text came to Egypt from Palestine. As for the inscriptions, what they prove is that there were plenty of Jews in Judea who preferred Greek to any Semitic language, and a few in the diaspora who preferred Hebrew or Aramaic to Greek. Archaeologically, the rarity of iconic decoration in Judea (but not in the rest of Palestine) before 70 is indeed remarkable, but even in Judea and Jerusalem itself there are some exceptions—the tomb of Jason, for instance (*'Atiqot* 4).

All in all the evidence seems to indicate that while Hebrew and Aramaic elements were more frequent in Palestine, and especially in Judea, and while Greek elements were more frequent elsewhere in Roman territory, nevertheless, the range of possible variations was everywhere roughly the same. Even rather extreme variants turn up where we should least expect them, e.g. substantial evidence for Essene influence has been found in the Epistle to the Ephesians (Kuhn, *NTS* 7.334ff.). It would not be implausible to suppose that a few aristocrats in Jerusalem had the sort of Greek education and philosophical attitude that we find in Philo. Although Josephus' Greek was none too good, his rival, Justus of Tiberias, was much better at home in the language (Josephus, *Vita* 40 and 340) and was remembered in philosophical literature for one of his anecdotes about Plato (Diogenes Laertius 2.41).

Consequently the common *in toto* distinction of "Palestinian" from "diasporic" (not to mention "hellenistic") Judaism is simply unjustified. One can speak only of a difference *a potiori,* and of a few particular groups which, so far as we can judge from the preserved evidence, seem to have been peculiar to one or [301] another district, for instance, the circle around the Onias temple in Egypt, or the Therapeutae, *perhaps* the baptist groups in the Jordan valley, and so on. Sometimes such groups can be connected with unique figures—John "the baptizer," Simon "the magician" *(magos),* Judas of Galilee, Jesus of Nazareth.

Nobody thinks of excluding Judas of Galilee and his followers from accounts of first century Judaism, though their practice of killing without trial not only gentiles, but even Jews of whom they strongly disapproved, would seem to have put them rather far outside ordinary interpretations of Jewish law. Promiscuous murder might be thought to indicate a more serious break with Jewish tradition than did healing on the Sabbath or eating with publicans and sinners. But Judas' followers were saved from schism by suicide, while the success of Jesus' followers has made "Christianity" a category distinct from "Judaism." Consequently, in spite of the recent fashion of declaring that "Jesus was a Jew," it is rare to find an account of first-century Judaism which recognizes that Christianity was one of its most important forms. Conversely, how many accounts of early Christianity treat it as an exceptional form of first-century Judaism? What goes for the movements goes also for the men. The only Pharisee about whom we are really well informed is St. Paul, but how many accounts of Pharisaism have taken account of him? John the Baptist and Simon *Magus,* too, are commonly treated as peripheral figures of

"Christianity," not as evidence of the various forms of Judaism—this although "Christianity" as such did not come into existence until John was dead and Simon's connection (if any) with the followers of Jesus had probably been terminated.

But Simon was a Samaritan. And what were the Samaritans? The destruction of the Gerizim temple in Hyrcanus' time is most plausibly understood as an attempt at religious *Anschluss:* Thereby the Samaritans would be forced to bring their sacrifices to Jerusalem and subject themselves to the Hasmonean High-Priesthood, which evidently considered them as potential *Ioudaioi*—adherents [302] of the Judean cult. How many of them consented to enter the fold? How many refused and resorted to surreptitious sacrifices without a temple, or contented themselves with synagogue worship? We have no way of telling. Josephus distinguished "Samaritans" as an ethnic group, and was contemptuous of them as he was of Idumeans and Galileans, who by this time were undoubtedly "Jews"—i.e., adherents of the Jerusalem cult—but whom Josephus often distinguished from *Ioudaioi* when he used the latter term to mean (territorial) "Judeans."

It is time to tear away this cobweb of nomenclature and try to see the facts it conceals. We have to do with the gradual extension through the Greco-Roman world (and through Arabia, Mesopotamia, Armenia, and Iran, which are usually ignored) of a peculiar cult and its associated literary, legal, and social traditions.

Part of the literary tradition was the legend that the cult had once been peculiar to a single family—allied tribes are often linked by such familial legends. This legend has persisted to the present: Christians, like Jews, are still theoretically one family, "the Israel of God." However, already in antiquity the members of this theoretical family seem to have showed no significant physical uniformity. I do not recall any ancient reference to a man's being recognized, from his physical appearance, as a Jew, except when the recognition was an inference from circumcision. (And even circumcision was not specific; it occurred among Arabs and Egyptians.) We can be reasonably sure that in the Greco-Roman period the followers of this cult had been so diversified by intermarriage, adoption, conversion, and adherence, that its spread cannot be considered as that of a single genetic stock.

The one thing common to all forms of the cult was the god called Yahweh, Yah, Iao, etc., who was often associated with various titles and epithets—Elohim, Adonai, Sabaoth, He who hears prayer, He whose name is blessed, etc. Most of these epithets, in one place or another, seem to have been hypostatized as independent but associated deities. [303] Yahweh might also be associated with other gods, of whom a long list could be compiled from Old Testament times on. His most famous associate, of course, was to be Jesus. In a few systems of the sort usually called "gnostic" Yahweh appears as an inferior god, and he so appears, too, in a good many unsystematic magical texts. He was also included in various syncretistic expressions of late Roman paganism, for instance the famous Clarian oracle; "I declare Iao to be the highest god of all, the Hades for winter, Zeus of beginning spring, Helios of summer, and splendid Iao of autumn" (Macrobius, *Sat.* 1.18).

To what extent such theological effusions implied worship is uncertain, but there is no question that the worship of Yahweh by pagans was ancient and extensive. Ezra proudly records the offerings made to Yahweh by the Persian emperors; the refusal of the Jerusalem temple staff to accept sacrifices offered by the Romans was the official beginning of the revolt of A.D. 66 (Josephus, *War* 2.409). Therefore to discuss the spread of this cult in terms of "the extension of Judaism"—whatever one means by "Judaism"—is to discuss only one part of a complex process. The neglected part of this process, which badly needs study, was an important factor in the extension of declared "Judaism," since Dio Cassius reports that the name *Ioudaioi* was commonly applied to whatever men followed Jewish customs (37.17.1).

This report illustrates our need for another study—that of the ancient definitions of "Jew" and "Judaism," with careful attention to the different users of the terms and the circumstances of the usage. We have already seen some of the ambiguities of the terms in antiquity—the fluctuation between religious and territorial usage (the Idumeans were *Ioudaioi* because adherents of the Jerusalem temple, but not *Ioudaioi* because not natives of Judea), the fluctuation between references to temple adherence and reference to general religious pattern (the adherents of the Onias temple were *Ioudaioi* by general pattern, in spite of their rejection of Jerusalem), the uncertainty as to which variations of the pattern, and how many of its [304] elements, are referred to. (Were the Samaritans *Ioudaioi,* or the Christians, or the *sebomenoi?* And so on.) An even more serious difficulty results from the modern specialization of "Jew" to refer to the adherents of rabbinic Judaism and their descendants, plus a few minor groups—the Karaites, the Falashas, and the like. Because of this modern usage, students of first century "Judaism" commonly take for granted that, even though rabbinic Judaism had not yet developed, something very like it was the common form of the religion, at least in Palestine, and all other groups are to be seen as divergent from this primitive stock. An extreme of absurdity is reached from this notion when the Judaism of the high-priestly families of the Jerusalem temple itself, who are supposed to have been mostly Sadducean, is represented as a divergence from pretendently "normative" Pharisaic Judaism.

This simply begs the question: What actually were the beliefs and observances of "the average Palestine Jew"—if there was any such animal—before 70? We have reports in rabbinic literature and in Josephus' later works that most people followed the rulings of the Pharisees (N.B. *not* that they "were Pharisees"), but these reports are suspect as self-interested. Josephus knew nothing of this when he was writing his earlier works; by the time he came to his later he had himself become a follower of the Pharisees. Moreover, his claims about their influence are contradicted by his reports about the course of events, in which they repeatedly appear as advocates of persons and policies that failed to gain general support. The later rabbis, for their part, had an obvious, practical interest in representing their spiritual ancestors, the Pharisees, as already enjoying the sort of authority they themselves hoped to achieve. Accordingly, neither rabbis nor Josephus can be trusted on this matter. We had better think of pre-70 Judaism simply as the sum of its known parts, plus other elements of which we know little more than that they existed, plus yet more elements of which even the existence is now unknown. To make students aware of this special [305] meaning of "Judaism" is one of the most difficult aspects of presenting the subject.

What we do know of the various forms of Judaism before A.D. 70 is derived mainly from their literary remains. Therefore, another question that needs looking into is the relation between the cult of Yahweh and the Israelite literary tradition. Unfortunately, the study of this literary tradition is dominated by and neglected for the study of the various canonical anthologies made from it—i.e., the different Old and New Testaments. What we need is a history of the literature as a whole, a history based not only on what has been preserved, but on the evidence of what has been lost, and tracing not only the development of characteristic Israelite forms and themes, but also the various combinations and developments that resulted when this literary tradition came into contact with that of Greece. The beginnings of this work—to the end of the Persian period—have often been attempted, but I do not know of any adequate history of the Israelite literary tradition in the Greco-Roman world.[1] Such a history would have to place the development of important new forms—e.g., the gospel—in proper context, explore the ways in which Israelite content was adapted to Greek forms and so changed them (as, for instance, in the Pauline "epistles"), and follow out the resultant combinations and compromises to their issuance in the new literary forms characteristic of the Middle Ages (for instance, the new histories, beginning with that of Eusebius, produced by the fusion of Israelite and Greek historical conventions and concerns).

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[1] Johannes Hempel in *Die althebräische Literatur und ihr hellenistisch-jüdisches Nachleben* (Wildpark-Potsdam: 1930), at least saw the problem and in his title promised to deal with it. However, the fifteen pages (180-194) he gave to the period from Nehemiah's retirement to the completion of the Gospels do little more than list some of the works he should have studied.

There is so much to be done here that I hesitate even to mention the other fields for research, for instance, the study of Israelite legal traditions and their adjustments to and influences on their Greek and Roman counterparts, or the similar study of liturgical traditions. I hope that what has been said will at least suggest my desiderata for investigation of the cult of Yahweh in the Greco-Roman period. The investigation should take account of all the evidence, and should not impose on any part of it categories and distinctions which were developed only in [306] later times. What was indefinite must carefully be kept indefinite. Indeed, the gradual development of the later categories is one of the most important topics of the study and is only now beginning to receive the attention it deserves. Here the McMaster project is an example of what needs to be done. As such projects are gradually completed and their results assimilated, it is possible that the maleficent effects of our inherited terminology may to some extent be corrected.

Postscript: In the light of the discussion elicited by this paper and of problems raised by several other papers at the Congress I should like to add a further desideratum for research in this field. As far as possible the topics studied should be specific and clearly defined or definable; abstract terms and enormous subjects should be avoided. For example, account of ascents into the heavens and of means to ascend can be discussed with useful precision; so can conversations with angels, predictions of impending disasters, etc. But no good is likely to come of attempts to decide just which combinations of these and other elements constituted, *at that time,* an "apocalypse"—especially since, before A.D. 70, no writer of any work now called an apocalypse ever used this title for his composition. Similarly, discussions of the "gnosticism" of those who never called themselves "gnostics," the "mystical religion" of those who never spoke of any, and such like great, unsubstantial generalizations, are verbose inanities. At present we need precise accounts of the preserved data.

CHAPTER NINE

PALESTINIAN JUDAISM IN THE FIRST CENTURY

[67] "R. Simeon the son of R. Jehosadak asked R. Samuel bar Nahman, 'Since I hear you are an expert in homiletic exegesis, tell me, whence was light created?' He replied, 'The Holy One, blessed be He, wrapped himself in it [i.e., the light] as in a white garment, and the splendor of his glory shone from one end of the world to the other.'"

This saying from *Bereshit Rabba*[1] might serve as an allegorical history of ancient Christianity: the God of ancient Israel clothed himself in the white garment of a Greek philosopher and became "the light of the world."

But might it not also be a history of ancient Judaism? Did not Judaism, in the same period, undergo the same Hellenization to achieve a similar expansion? Here we enter upon controversial ground.

With regard to Diasporic Judaism, there is no doubt of the Greek garment; the question is whether the deity whom it clothed was still the God of ancient Israel. Into this question we shall not enter.

As to Palestinian Judaism, there is no serious doubt that the deity was still the God of ancient Israel, but the notion that he was ever clothed in a Greek garment is a matter of dispute. This dispute concerns not only the concept of the deity, but the entire picture of [68] ancient Palestinian Judaism. It goes even so far as to call into doubt the classical distinction between Palestinian and Diasporic Judaism. It asks whether this contrast does not reflect the present differences between two bodies of source material (the Rabbinic and the Diasporic) rather than the ancient differences between those parts of Judaism which the sources describe. If our reports were written by extremists from the two ends of Judaism (and handed down by groups even more extreme than the writers), they may be describing the same thing in different terms, and the classical dichotomy may be due to our ignorance of the ancient average, middle ground.

Some aspects of Diasporic Judaism suggest this: Marcel Simon, in his book, *Verus Israel,* has recently emphasized that the Jews of the Diaspora gave up the Septuagint for Aquila's Greek translation of the Old Testament—a change of immense significance, since it shows that they were willing to sacrifice the superior Greek style of the Septuagint in order to get a text of which the only advantage was that it preserved the peculiarities which justified Rabbinic exegesis. Harry

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[1] Gen. Rab. 3:4, ed. Theodor, pp. 19 f.

Wolfson, in his monumental *Philo,* has demonstrated the amazing extent of agreement between Philo and the Rabbis. There is no doubt that the picture of Judaism derived from the Roman imperial inscriptions and from the remarks of classical authors agrees in its main outlines with the picture derived from Rabbinic literature.

Now this evidence of Rabbinic influence in the Diaspora is more than matched by evidence from Palestine that Judaism there was profoundly influenced by Hellenism. Just at present, the most famous body of such evidence is composed of the documents newly discovered near the Dead Sea. It is too early to attempt any detailed interpretation of these, but they certainly show many parallels with the thought of Hellenized Jews like Paul, and they prove conclusively that Greek books were in the library of this extremely legalistic, ultraconservative Jewish community. Hardly less famous are the archaeological discoveries, especially of Bet Shearim and of the synagogues. Bet Shearim was the most famous burial ground of Rabbinic Judaism. Its remains show that it was freely adorned with drawings and, less freely, even with statues carved in relief, that most [69] of the inscriptions written there were in Greek, and that some of them contained such commonplaces as, "Be of good courage, no one is immortal." The synagogues show us a similar use of animal and human forms in high relief, and tell us that the human and, sometimes, the animal forms were later chipped away, but carefully, so that the rest of the carving would not be damaged. They show us, further, the use of conventional representations of the pagan sun god as the central ornament in the mosaic floors of a number of synagogues. This ornamentation has been known for some time, but its significance was not demonstrated until Erwin Goodenough, in his epoch-making *Jewish Symbols in the Greco-Roman Period,* pointed out the amazing parallels between these synagogue floors and the magical amulets on which the sun god frequently appears with the titles *Iao* (i.e., YHWH) and *Sabaoth.* These parallels, in turn, enabled Professor Goodenough to make an extremely strong case for his identification of Jewish sources in many sections of the magical papyri, so that we are almost forced to accept as a product of Judaism an invocation of Helios in which he is hailed as "first and most happy of aeons and father of the world."

This identification of source material is a fascinating but hazardous business which has added a great deal, if not to our absolute knowledge, at least to our plausible guesses, about the varieties of ancient Judaism. Since our concern is the Hellenization of Palestinian Judaism, we shall pass over works of doubtful origin, like the Jewish material found by Wilhelm Bousset in the Apostolic Constitutions, and turn our attention to the undoubtedly Jewish and probably

Palestinian sources of many of the pseudepigraphic writings preserved by Christians. The Ascension of Isaiah contains a source from the time of Herod the Great which shows us a group of prophets living in the wilderness beyond Bethlehem, going naked, eating herbs only, and denouncing Jerusalem as Sodom. Such asceticism is certainly not in the Israelite tradition. The Assumption of Moses contains a similar denunciation of the priesthood of the Second Temple and calls its sacrifices vain, but has great reverence for the Temple itself. It also denounces a group of rulers who claim to be just, but who will not let common people touch them for fear of [70] pollution, and who devour the goods of the poor. Other such examples could be found, but enough has been said to show that this evidence requires a careful revision of the common notion that Palestinian Judaism was substantially free of Hellenistic influence.

The first step in estimating what the Hellenistic influence actually was is to determine the extent of the use of Greek. The preponderance of Greek in the inscriptions at Bet Shearim has already been noted. They show us the state of affairs from the late second century on. For the first century, we get most information from the Jewish ossuaries, on which about a third of the inscriptions are in Greek. For the yet earlier period, the evidence has been summed up by William F. Albright, who is an ardent advocate of Aramaic influences, but who admits in his *Archaelogy of Palestine* that there was a real eclipse of Aramaic during the period of the Seleucid Empire. He remarks that scarcely a single Aramaic inscription from this period has been discovered except in Transjordan and Arabia, and that inscriptions in Jewish Aramaic do not appear until the middle of the first century before the Common Era.

It used to be argued, however, that observant Jews kept themselves apart from this Hellenized world around them, and either knew no Greek at all or, at least, knew no Greek literature, so that their thinking about religion was not touched by Greek influence. This notion, however, has now been completely refuted by the works of Saul Lieberman, *Greek in Jewish Palestine* and *Hellenism in Jewish Palestine,* which have demonstrated, once for all, that many Jews in Rabbinic circles not only knew Greek, but read the Bible in it and prayed in it. Further (and of even greater significance), they have demonstrated that the terminology for at least one of the most important forms of Rabbinic legal exegesis is derived from the Greek name for the same sort of argument: *gezera shawa* translates *sunkrisis pros ison.* Since even here, in the Holy of Holies of legal exegesis, so basic a term could be taken from Greek, it seems only plausible to suppose that the amazing string of parallels to Greek exegetic and scribal procedures, which Professor Lieberman also demonstrates, was due largely to Hellenistic influence. So we must suppose that early in its history the scribal study of the Law under[71]went a period of profound Hellenization. This supposition would accord with the archaeological evidence for the extreme Hellenization of Palestine during the later Persian and Ptolemaic periods, and with the belief that the upper classes of the priesthood, which then controlled the exposition of the Law, were particularly Hellenized. Perhaps it should be remarked in passing that Ben Sira made foreign travel for the purpose of study a duty of the good scribe. His opinion is clearly in accord with the practice of many Hellenistic philosophers.

We conclude, then, that Palestine in the first century was profoundly Hellenized and that the Hellenization extended even to the basic structure of much Rabbinic thought. This requires us to reconsider the question: How were those first-century Rabbis, who appear as authorities in Rabbinic writings, related to the whole of Palestinian Judaism? What part in the general history of the times did they and their scholars play?

First of all, it must be said that they were not unopposed. The Palestinian Talmud reports that at the time of the Exile there were twenty-four sorts of heretics in Palestine. Whatever the heretics believed, they certainly did not agree with the Pharisees and they almost certainly claimed to be Jews. Many of them were probably Jewish Christians, and certain Christian writers (especially Justin, Eusebius, and Epiphanius) tell us something of their many varieties.

Nor was Jesus the only religious leader whose followers established separate sects. John the Baptist also started a sect: some of his followers did not transfer their loyalty to Jesus, but maintained that John had been the true prophet, Jesus the false. Jacques Thomas, in his careful study, *Le Mouvement baptiste en Palestine,* has shown that John's group was only one of a great number of sects—some Jewish, some Christian, and some, perhaps, neither—which flourished in Palestine from the first century on and were characterized not only by the use of washing as a sacrament but also by the adoption of ascetic practices and, frequently, by the belief in a supernatural being who visited earth from time to time, in various incarnations, to reveal the will of God. It should be noticed that this belief appears [72] very early in Christianity. To Justin, for example, Jesus is not the first appearance of the Logos—it had appeared before, for example, to Abraham at Mamre. A similar belief about John the Baptist was early developed by his followers. Whether Jesus or John actually made such claims it is hard to say, but we have good reason to think that Simon Magus (a Samaritan teacher who also founded a sect and who, like Jesus, is said to have been a disciple of John) actually did claim to be a divine power come down to earth. This divine power was often described as "the true prophet," and it is probably not insignificant in this connection that both Josephus and Acts tell us of the many prophets who arose in this period and led many astray. They were not insignificant cranks with one or two followers. One of those mentioned by both Josephus and Acts had thousands of followers and was only put down by the Roman forces in a major battle on the Mount of Olives.

Of course, not all baptist sects followed this theological pattern, and John's group presents similarities also to the Essenes, whom Josephus recognized as Jews, but whose strange practices included not only ritual bathing but the use of secret books filled with magical names and of prayers addressed to the sun. We have already noticed the position which the sun came to occupy in Jewish magic and Jewish synagogues during the fourth century. That magic flourished also in the earlier periods is hardly to be doubted. Most women, according to Tannaitic tradition, practiced magic; and magic, as Professor Lieberman has remarked, was not merely a few superstitious practices, but an actual cult, of which Professor Goodenough has shown the complicated theological ramifications.

At the opposite extreme from the magicians were the Jews who had gone over entirely to Hellenistic rationalism and who were accused of being Epicureans. Whether these were actually members of the clear-cut and hidebound Epicurean school, or merely individuals accused by popular opinion of atheism, we cannot be certain. But there is no doubt that their neighbors in rationalism, the Sadducees, were a definite sect and undeniably Jewish—they furnished many of the high priests and were an important party in the Sanhedrin. Yet they attacked as Pharisaic superstitions the beliefs in angels and [73] spirits, the life after death, and the divine governance of human events.

Even within the Pharisees there were divisions. We know from Josephus and the New Testament of one sect, the Zealots, which appeared as a separate group early in the first century, when its members embraced doctrines requiring civil disobedience. We know from Talmudic evidence that in the conflict between the houses of Hillel and Shammai the Law became two Laws, and the later tradition which miraculously declared them both the words of the Living God is no less suspicious than the later Christian tradition which brought Peter and Paul into perfect concord.

Finally, Palestine was not devoid of Jews from the Diaspora and these, too, formed separate communities. The only synagogue inscription we have from Jerusalem comes from a Diasporic synagogue in which a Christian preached. Communities of Jews from Alexandria, Babylonia, Tarsus, Cyrene, and Cappadocia are suggested by the funeral inscriptions of Joppa. The Acts lists, as resident in Jerusalem, Jews from Galilee, Parthia, Media, Elam, Mesopotamia, Cappadocia, Pontus, the Roman province of Asia, Phrygia, Pamphylia, Egypt, Cyrenaica, Rome, Crete, and Arabia.

But all these groups which we have discussed so far were undoubtedly minority groups. (A little magic may have been practiced by almost everybody, but the adepts were probably few. As for the Pharisees, their very name—separatists—declares their relation to the whole.) The average Palestinian Jew of the first century was probably the *'am ha-areṣ,* any member of the class which made up the "people of the land," a Biblical phrase probably used to mean *hoi polloi.* There are any number of passages in which the Mishna and Tosefta seem to take it for granted that the average man passing in the street, the average woman who stops in to visit her friend, or the average workman or shopkeeper or farmer is an *'am ha-areṣ.* The members of this majority were not without religion. They certainly did not observe some rules laid down by the Pharisees, and at a later period they were said to hate the Pharisees even more than the gentiles hated the Jews; but they had their own synagogues (though the Pharisees said that anybody who frequented them would come [74] to an early death), they kept the Jewish festivals, and they even observed some of the more serious purity regulations. So even with them we have not reached the end of the varieties of first-century Judaism, for we have said nothing of the worldly Jews—the Herodians, tax gatherers, usurers, gamblers, shepherds, and robbers (by the thousands) who fill the pages of the Gospels, the Talmuds, and Josephus.

How, then, are we to account for the tradition which makes the Pharisees the dominant group? First, no doubt, by the natural prejudice of the Rabbinic material. This point hardly needs elaboration: the sayings of the Rabbis were, of course, recorded by and for their followers. Even if the sayings were completely unbiased and the record absolutely accurate, the mere concentration of interest in the group concerned would make them bulk out of all proportion to the rest. In the second place, however, there are the statements of Josephus, attributing to the Pharisees a predominant influence with the people. To understand these we must recall the career of Josephus and the situation in which he wrote.

Josephus was a member of the priestly aristocracy and in his later period claimed to have been a Pharisee. Reportedly, the alliance of aristocrats and Pharisees which was in control during the early days of the war made him commander of some Jewish forces in Galilee, though Simeon ben Gamaliel, the leader of the Pharisaic group, later tried to have him removed. When his forces were defeated he surrendered to the Romans and hailed Vespasian as the universal ruler whom Jewish tradition had prophesied would arise from Palestine. When Vespasian fulfilled this prophecy by becoming emperor, Josephus was set at liberty and taken into Roman service, first in Jerusalem as interpreter during the siege, and later in Rome. Here he wrote his *Jewish War* in the service of Roman propaganda: its purpose being to persuade the Jews of Mesopotamia that nothing should be done to help the Jews of Palestine, and to persuade Jews everywhere that the Palestinians had brought their ruin upon themselves by their own wickedness; that the Romans were not hostile to Judaism but had acted in Palestine regretfully, as agents of divine [75] vengeance; and that therefore submission to Roman rule was justified by religion as well as common sense.

For this service Josephus has often been denounced as an apostate from Judaism. He was not. Submission to the Romans and recognition of Vespasian as destined emperor certainly did not, in and by themselves, constitute apostasy, for these very same acts are attributed by Rabbinic tradition to the leader of the Pharisaic revival, R. Joḥanan ben Zakkai. Clearly, then, the question of Josephus' loyalty to Judaism must be settled by other considerations. And there is positive evidence that he remained, even in Rome, an admitted and convinced Jew. He wrote a defense of Judaism against the grammarian Apion, and this at a time when defenders of Judaism were probably not in favor. In the reign of Domitian, who seems to have been hostile to Jews, he wrote his major work, the *Jewish Antiquities,* of which the main concern was to glorify the Jewish tradition. His loyalty to that tradition, therefore, is hardly to be questioned.

But to which group within the Jewish tradition was he loyal? Here a comparison of the *War* with the *Antiquities* is extremely informative. In the *War,* written shortly after the destruction of Jerusalem, Josephus still favors the group of which his family had been representative—the wealthy, pro-Roman section of the priesthood. He represents them (no doubt correctly) as that group of the community which did all it could to keep the peace with Rome. In this effort, he once mentions that they had the assistance of the chief Pharisees, but otherwise the Pharisees hardly figure on the scene. In his account of the reign of Salome-Alexandra he copies an abusive paragraph of Nicholas of Damascus, describing the Pharisees as hypocrites whom the queen's superstition enabled to achieve and abuse political power. In his account of the Jewish sects he gives most space to the Essenes. (Undoubtedly he was catering to the interests of Roman readers, with whom ascetic philosophers in out-of-the-way countries enjoyed a long popularity.) As for the others, he merely tags brief notices of the Pharisees and Sadducees onto the end of his survey. He says nothing of the Pharisees' having any influence with the people, and the only time he represents them as attempting to exert any in[76]fluence (when they ally with the leading priests and other citizens of Jerusalem to prevent the outbreak of the war), they fail.

In the *Antiquities,* however, written twenty years later, the picture is quite different. Here, whenever Josephus discusses the Jewish sects, the Pharisees take first place, and every time he mentions them he emphasizes their popularity, which is so great, he says, that they can maintain opposition against any government. His treatment of the Salome-Alexandra incident is particularly illuminating: he makes Alexander Janneus, Salome's husband and the lifelong enemy of the Pharisees, deliver himself of a deathbed speech in which he blames all the troubles of his reign on the fact that he had opposed them and urges his wife to restore them to power because of their overwhelming influence with the people. She follows his advice and the Pharisees cooperate to such extent that they actually persuade the people that Alexander was a good king and make them mourn his passing!

It is almost impossible not to see in such a rewriting of history a bid to the Roman government. That government must have been faced with the problem: Which group of Jews shall we support? It must have asked the question: Which Jews (of those who will work with us at all) can command enough popular following to keep things stable in Palestine? To this question Josephus is volunteering an answer: The Pharisees, he says again and again, have by far the greatest influence with the people. Any government which secures their support is accepted; any government which alienates them has trouble. The Sadducees, it is true, have more following among the aristocracy. (We may guess that they were better represented at the Roman court and that Josephus was trying to answer this objection.) But they have no popular following at all and, even in the old days when they were in power, they were forced by public opinion to follow the Pharisees' orders. As for the other major parties, the Essenes are a philosophical curiosity, and the Zealots differ from the Pharisees only by being fanatically anti-Roman. So any Roman government which wants peace in Palestine had better support and secure the support of the Pharisees.

Josephus' discovery of these important political facts (which he [77] ignored when writing the *Jewish War)* may have been due partly to a change in his personal relationship with the Pharisees. Twenty years had now intervened since his trouble with Simeon ben Gamaliel, and Simeon was long dead. But the mere cessation of personal hostilities would hardly account for such pointed passages as Josephus added to the *Antiquities.* The more probable explanation is that in the meanwhile the Pharisees had become the leading candidates for Roman support in Palestine and were already negotiating for it. This same conclusion was reached from a consideration of the Rabbinic evidence by Gedalyahu Alon in his *History of the Jews in Palestine in the Period of the Mishna.* He concluded that the Roman recognition of the judicial authority of the Rabbinic organization in Palestine came after the fall of Domitian, but had been a matter of negotiation even in Domitian's time and, when it came, was an official approval of an authority which had already existed *de facto* for some time. This theory, and the tradition that Jewish relations with Rome underwent some strain in the latter days of Domitian, would perfectly explain the content and tone of those passages of the *Antiquities* which insist on the influence of the Pharisees with the people.

Such motivation does not, of course, prove that Josephus' statements are false, but it would explain their falsity if that were otherwise demonstrated. Without attempting conclusive demonstration, three points may be noted:

First, as we have seen, there is much evidence that during the first century a great deal of Palestinian Judaism was not Pharisaic.

Second, the influence of the Pharisees with the people, which Josephus reports, is not demonstrated by the history he records. John Hyrcanus was not afraid to break with the Pharisees, and none of the succeeding Maccabees except Salome and the puppet Hyrcanus II felt it worth while to conciliate them. As to their relations with Herod, Josephus contradicts himself; but if Herod had the support of the Pharisees it did not suffice to secure him popularity, and if they opposed him they were not strong enough to cause him serious trouble. During the first century of the Common Era, the only ruler [78] who consistently conciliated them was Agrippa I. If, as Josephus says, they were for peace with Rome, their influence failed to maintain it. After the war broke out, they formed only one party in the coalition upper-class government, which held the initial power in Jerusalem for a short time, but was ousted by groups with more popular support. All this accords perfectly with the fact that Josephus in his first history of the war never thought their influence important enough to deserve mention.

In the third place, even Josephus' insistence on their influence "with the multitude" implies a distinction between them and the people whom they influenced. Evidently, the "multitude" were the majority and they were not Pharisees. In one instance, where Josephus speaks of the Pharisees as refusing to take an oath of loyalty to Herod, he sets the number of them at "more than 6000." The passage is not absolutely conclusive because another seems to contradict it and assert that the oath was taken, but the most plausible explanation would seem to be that which takes the passages as contradictory rather than complementary and understands 6000 as the (approximate) total number of the Pharisees. The Essenes, by the way, numbered about 4000, according to Josephus' estimate.

How, then, are we to understand the position of these 6000 Pharisees vis-à-vis the mass of the Jewish population, that is to say, in what category of the population were they classed: were they clergy or laity? Was it a profession to be a Pharisee, or an avocation?

Here the danger is obviously that of imposing modern categories upon ancient society. Many would say there is even a danger of imposing ancient categories on a part of ancient society which they do not fit, of classifying the Pharisees in categories which belong to Greek and Roman society, not to Palestinian Judaism. This charge has been brought particularly against Josephus, who consistently describes the major Jewish sects, including the Pharisees, as philosophic schools. In this he is supported by agreement with Philo and with the ancient Christian writers who describe the Jewish sects. But it is customary to say that in using this description he is trying to explain the sects to his gentile readers, who had nothing like them in their society. The easiest way to give them a general idea of what [79] the Pharisees did was to call them "philosophers," just as, nowadays, the simplest way to explain a guru is to call him a "father confessor." The people who maintain this view hold not only that all Pharisees were primarily Pharisees (a very strong position) but also that the Greco-Roman society produced nothing really like them, so that, although others may have thought of them in its terms, the Pharisees themselves never did so. Now this latter position is a particular application of the general notion that Palestinian Judaism was practically untouched by Hellenistic influences. We have already seen that general notion to be false; here we may adduce a number of reasons for doubting this particular application as well.

First of all, it must be remembered that Judaism to the ancient world was a philosophy. That world had no general term for *religion.* It could speak of a particular system of rites (a cult or an initiation), or a particular set of beliefs (doctrines or opinions), or a legal code, or a body of national customs or traditions; but for the peculiar synthesis of all these which we call a "religion," the one Hellenistic word which came closest was "philosophy." So when Judaism first took shape and became conscious of itself and its own peculiarity in the Hellenized world of the later Persian Empire, it described itself with the Hellenic term meaning the wisdom of its people (Deut 4:6). To the success of this concept within Judaism the long roll call of the wisdom literature bears witness. Further, the claim was accepted by the surrounding world. To those who admired Judaism it was "the cult of wisdom" (for so we should translate the word "philosophy" which they used to describe it), and to those who disliked it it was "atheism," which is simply the other side of the coin, the regular term of abuse applied to philosophy by its opponents.

It is therefore not surprising that Jews living, as Palestinian Jews did, in the Greco-Roman world, and thinking of their religion as the practice of wisdom, should think of the groups in their society which were distinguished by peculiar theories and practices as different schools of the national philosophy. That the groups also thought thus of themselves is shown by a vast number of details, of which the following are a few examples. Their claim to authority was put [80] in the form of a chain of successors by whom the true philosophy had been handed down. Elias Bickerman in his article, "La Chaine de la tradition pharisienne," has demonstrated the parallel between this list (in *Abot)* and the lists alleged by the philosophic schools, and has remarked that the Greek and Pharisaic lists differed from those of the priestly "philosophies" of the barbarians in being lists of teachers, not of ancestors. He also mentions, apropos of the "houses" of Hillel and Shammai, the fact that "house of so-and-so" is a form of reference to a philosophic school founded by so-and-so; and he shows that both the Greek and the Jewish philosophic schools justified their peculiar teachings by claiming accurate tradition from an authoritative master. Not only was the theory of the Pharisaic school that of a school of Greek philosophy, but so were its practices. Its teachers usually taught without pay, like philosophers; they attached to themselves particular disciples who followed them around and served them, like philosophers; they looked to gifts for support, like philosophers; they were exempt from taxation, like philosophers; they were distinguished in the street by their walk, speech, and peculiar clothing, like philosophers; they practiced and praised asceticism, like philosophers; and finally—what is, after all, the meat of the matter—they discussed the questions philosophers discussed and reached the conclusions philosophers reached. Here there is no need to argue the matter, for Professor Wolfson, in his aforementioned classic study of Philo, has demonstrated at length the possibility of paralleling a philosophic system point by point from the opinions of the Rabbis. Now one, or two, or two dozen parallels might be dismissed as coincidental: all men, by virtue of mere humanity, are similar and life presents them with similar problems; it is not surprising, therefore, that they should often and independently reach the same answers. But parallels of terminology are another matter, and here we come back to Professor Lieberman's demonstration that some of the most important terms of Rabbinic Biblical exegesis have been borrowed from the Greek. This is basic. As indicated above, the existence of such borrowings can be explained only by a period of profound Hellenization, and once the existence of such a period has been hypothecated it is plausible to attribute to it also the astounding [81] series of parallels which Professor Wolfson has shown to exist between the content of philosophic and Rabbinic thought.

In sum, then, the discoveries and research of the past twenty-five years have left us with a picture of Palestinian Judaism in the first century far different from that conceived by earlier students of the period. We now see a Judaism which had behind it a long period of thoroughgoing Hellenization—Hellenization modified, but not thrown off, by the revival of nationalism and nationalistic and antiquarian interest in native tradition and classic language (an interest itself typically Hellenistic). As the Greek language had permeated the whole country, so Greek thought, in one way or another, had affected the court and the commons, the Temple and the tavern, the school and the synagogue. If there was any such thing, then, as an "orthodox Judaism," it must have been that which is now almost unknown to us, the religion of the average "people of the land." But the different parts of the country were so different, such gulfs of feeling and practice separated Idumea, Judea, Caesarea, and Galilee, that even on this level there was probably no more agreement between them than between any one of them and a similar area in the Diaspora. And in addition to the local differences, the country swarmed with special sects, each devoted to its own tradition. Some of these, the followings of particular prophets, may have been spontaneous revivals of Israelite religion as simple as anything in Judges. But even what little we know of these prophets suggests that some of them, at least, taught a complex theology. As for the major philosophic sects—the Pharisees, Sadducees, and Essenes—the largest and ultimately the most influential of them, the Pharisees, numbered only about 6000, had no real hold either on the government or on the masses of the people, and was, as were the others, profoundly Hellenized.

This period of Palestinian Jewish history, then, is the successor to one marked by great receptivity to outside influences. It is itself characterized by original developments of those influences. These developments, by their variety, vigor, and eventual significance, made this small country during this brief period the seedbed of the subsequent religious history of the Western world.

CHAPTER TEN

THE IMAGE OF GOD:
NOTES ON THE HELLENIZATION OF JUDAISM, WITH ESPECIAL REFERENCE TO GOODENOUGH'S WORK ON JEWISH SYMBOLS[1]

I. Hellenization in Disguise

[473] Discussions of the hellenization of ancient Judaism often take for granted that any material for which precedent can be found in the Old Testament is therefore independent of hellenistic influence. This supposition neglects the fact that rabbinic literature is almost entirely homiletic and legal. Preachers and lawyers must find proof-texts in certain books which are authoritative for their purposes. But they do not necessarily get their ideas from those books to which they must go for their proof-texts. The history of Biblical and legal exegesis bristles with examples of texts which have been made to bear meanings their authors never thought of. Consider two rabbinic instances: Ben Azzai uses the text, "This is the book of the generations of *Adam,*" as an excuse to argue that the Law is the basic principle of *human* society. R. Jeremiah b. Le'azer uses the text, "Male and female he created *them*" as an excuse for teaching that when God created Adam he created *him* androgynous.[2] Clearly, it would be mistaken to say that because these rabbis found the texts in the Bible they must also have found the ideas there.

What holds for preachers and lawyers holds also for translators. The Hebrew text of the Bible is in a number of places obscure beyond understanding. Therefore any understandable [474] translation of those places must be a reading into them of ideas supplied by the translator. Where the translator got his ideas is a question which cannot be settled at all by the fact that he read them into the Hebrew text. Thus when the LXX turned the obscure Hebrew, *'ehyeh 'asher 'ehyeh,*[3] which the Targums did not attempt to translate, into the clear Platonism, "I am the one being," then, even though the resultant Being did retain the gender of the Biblical God,[4] there is no doubt that we are looking at a hellenization of the Biblical religion.

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[1] The content of this paper was originally delivered in three lectures given in 1955 at the Hebrew Teachers' College, Boston.

[2] Gen. Rab. 8.1 (ed. Theodor, p. 55 and parallels). On the former see my note in *HTR* 48 (1955), 51.

[3] Exod 3:14.

[4] Cf. J. Freudenthal, "Are There Traces of Greek Philosophy in the LXX?" *JQR,* 2 (1890), 220. F. is mistaken in supposing that *to on* is Stoic rather than Platonic and his explanation of an Alexandrian translation of the third century B.C. by the influence of

Therefore it is often unjustified to cite the proof-text used by a preacher, or the LXX's remodelings of the Hebrew, as evidence that the ideas thus introduced are signs of Jewish tradition rather than hellenistic influence.

Of course, proof texts sometimes do happen to contain the ideas attributed to them. But even when they do, *the taking up and development of ideas by later writers may be evidence of outside influence.*

For example, let us consider the notion that man is made in the image of God. It appears in the Old Testament in two places in Genesis,[5] in the second of which it is added as an explanation to a law making murder a capital offence. There is no doubt that in both these places the detail is, at very least, pre-[475]exilic. Since later Biblical tradition became much opposed to physical anthropomorphism, to anything which would suggest that a statue of any sort could be in any respect a faithful likeness of the deity, it is surprising that this material survived. It is even more surprising to find it taken up by a number of rabbis and used by them not only to justify capital punishment for murder, but also to argue the dignity of man in general and to blame those who abstain from the procreation of children because they diminish the image (sc. the number of images?) of God.[6]

Now the purposes for which these rabbis used these proof texts are closely related to the culture of the Greco-Roman world. It was in that world that the notion of human dignity was given its classical development by the Stoics, and it was in that world that the practice of asceticism was spreading in the second and third centuries A.D. when these rabbis attack the consequent abstinence from procreation. So the motives of their statements are explicable by the influence of the Greco-Roman environment,[7] but what of the form? Why should these

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Palestinian exegesis of the third century A.D. is not plausible. Note also his final argument (p. 222), "Who would venture to ascribe to the Soferim, Onkelos and Pseudo-Jonathan a knowledge of systems of philosophy which could only be acquired after a long devotion to their study?" No one, surely, supposes that the translators of the Old Testament were trained philosophers. But it is supposed that Greek philosophy had a large, albeit indirect, influence on the *Weltanschauung* of most thinking men (among whom were many rabbis) in the ancient world. As evidence against this latter supposition there is no importance whatever in F.'s demonstration that the translators of the LXX neglect the technical, philosophic senses of certain words. And even concerning trained philosophers, argument from this fact would be dangerous. For instance, it would prove Philo ignorant of philosophy, since, as Wolfson has shown, he is generally indifferent in his use of philosophic terms. H. Wolfson *Philo* (Cambridge, 1947), i. 102 ff.

[5] 1:26f. and 9:6.

[6] Tosepta Yebamot, 8 end; cf. Yeb. 63b; Abot, 3. 14.

[7] This is not to say, of course, that all Jewish ascetics were necessarily imitators of Greek examples. Asceticism, like mysticism, is a psychological phenomenon which can appear

rabbis have chosen to rest their teaching on a proof text so apparently alien to our common notion of Jewish doctrine?

The explanation is to be found in a number of passages of the midrashim, where this thought is directly related to the contemporary importance of the images of the Greco-Roman rulers. In Leviticus Rabbah 34.3 a story is told of Hillel. On one occasion when he was about to leave his disciples, they said to him, "'Rabbi, where are you going?' He said to them, 'To perform a commandment.' They said to him, 'What is this commandment?' He said to them, 'To bathe in the (public) bath.' They said to him, 'Is this a commandment?' He said [476] to them, 'Yes. If the man who is appointed to take care of the images of kings, which (the gentiles) set up in their theatres and circuses, scours them and rinses them, and they provide his livelihood, and not only that, but he occupies an important place among government officials; then we, who were created in the image and in the likeness (of God) ... a *fortiori*.'" Substantially the same story appears in Abot de R. Nathan[8] as a comment on the words, "And let all thy acts be for the sake of Heaven."[9]

In the Mekilta[10] we read, "The text implies that anyone who sheds blood is held to be guilty of diminishing the divine image. (Murder is thus rebellion against God, as shown by a) comparison: A human king entered a province and the citizens set up portraits of him and made images of him and struck coins (bearing) his (likeness). But after a time they overthrew his portraits and broke his images and canceled the coins and (thus) diminished the likeness of the king. (Was not this tantamount to rebellion?). Thus anyone who sheds blood is held to be guilty of diminishing the divine image, for it is said, 'Whoso sheddeth man's blood, by man shall his blood be shed, for in the image of God made He man'" (Gen 9:6).[11]

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in any religion, and appears in most without being the result of outside influence. What shows the influence of the surrounding world, therefore, is not the *recurrence* of asceticism, but the *increase of its importance* in the second and later centuries A.D., to which these rabbinic statements testify and which is clearly part and parcel of the change of the Greco-Roman environment. This distinction between precedent (which is often unimportant) and active influence (which is usually contemporary) is the point to be made by this section of the paper.

[8] Text B, ch. 30, ed. Schechter, fol. 33b.

[9] That is, of God.

[10] Bahodesh, Jethro, 8, on Exod 20:16 (ed. Lauterbach, 2.262) repeated in Yalqut S. 1.299.

[11] [The comparison came more easily, doubtless, because of the widespread pagan notion of the king as the image of God—see the passages collected by Nock in H. I. Bell, A. D. Nock, Herbert Thompson, Magical Texts from a Bilingual Papyrus, Proceedings of the British Academy 17 (1931), p. 41 of the separate pagination].

Again in Debarim Rabbah[12] the establishment of the cities of refuge is explained by the following parable: "It is like (the case of) a carver who was making an image of the king. While he was working on it, it broke in his hands. The king said, 'Had he broken it for some purpose of his own, he should have been put to death. As things are, since he broke it unintentionally, let him be condemned to the mines.' So the Holy One, Blessed be He," laid down Gen 9:6 as the rule and provided the cities of refuge for the exception.

Similarly, Exodus Rabbah[13] comments on the text of Gen 9:6 with the words, "It is like (the case of) a man who struck the image of the king and was brought into court. The king said, 'Have you not read in my ordinance that any one who touches my [477] image is to be put to death. Why did you not spare yourself?' So if a man kills a Jew it is as if he destroyed the image of a king, and he is judged and (if found guilty) has no (chance of) life, because man was created in the likeness of the ministering angels."

The conclusion of this last story is particularly interesting because Gen 9:6 says bluntly, "Because in the image of God He made man", and all the rest of the above-quoted stories end with quotation of this text. Further, it is clear that the argument of the story in Exodus Rabbah requires the antithesis between the king and God, not the ministering angels. So the unexpected appearance of the angels is clearly the result of a posterior revision, by which the force of the argument is weakened.[14]

Another instance of such revision for the same purpose is the Targum to Ps 82:6, which changes "I have said, 'Ye are gods, and all of you sons of the Most High'" to, "I have said, 'Behold, you are reckoned as angels *(malakaya),* and all of you as angels *('anglē)* of the Most High'". Similarly, the statement of Deut 34:6, that the Lord buried Moses, which was taken literally by the Mishnah,[15] is understood later to mean that the ministering angels buried him.[16] These examples, which could easily be multiplied, prove the opposition which was eventually encountered by the notion that man was the image of God. Thus they justify our surprise at seeing the notion developed by the rabbis of the Greco-Roman period, and confirm our hypothesis that such development must have been due to the influence of the cult of the statues of civil rulers.

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[12] 2.21, repeated in Yalqut S. 1.829.

[13] 30.12 [in some editions 30.16] (end).

[14] It is possible that the use of the ministering angels in place of God as referents for biblical anthropomorphisms was originally a mark of an allegorizing—as opposed to a literalist—school of Palestinian exegesis. So A. Marmorstein, *The Old Rabbinic Doctrine of God,* II, *Essays in Anthropomorphism* (Oxford, 1937) *(Jews' College Publications,* 14), pp. 46 ff. and 140. However, it cannot be original here, since the force of the argument depends on the parallel between the mortal and the divine rulers *(melek basar wedam v. Melek malke hammelakim).*

[15] Sotah 1, end.

[16] Midrash Tannaïm, 3.26 (ed. Hoffmann, p. 18).

In contrast with this later opposition, the early interpretations of Gen. 1:26f. and 9:6[17] show no significant concern to palliate or [478] refute these statements that man is the image of God.[18] Only with the medieval commentators do apologetic and philosophical explanations appear.[19] Indeed, the rabbinic tradition sometimes went to the extreme of anthropomorphism: Not only did it make the notion of man's likeness to God as physical and detailed as possible (it included circumcision among the distinguishing marks of the Deity),[20] but it took the likeness as proof of the potential perfection of man and taught that Adam before the fall and the righteous in the world to come realized this perfection and were rightly, therefore, to be worshipped by the angels: We read in Baba Batra 75b, "Rabba said R. Johanan said, 'The righteous are destined to be called by the name of the Holy One, blessed be He, for it is said, "Everyone who is called by my name, him have I created, formed and made that he should also share my glory"'."[21] [479]

"R. Samuel bar Nahmani said R. Johanan said, 'Three are called by the name of the Holy One, blessed be He, and they are these: The righteous and the Messiah and Jerusalem. The righteous, as we have just shown. The Messiah, for it is written, "And this is his name, which he will be called, The Lord Our Righteousness."[22] Jerusalem, for it is written, ... "And as for the name of the city, the Lord is its name".'[23]... R. Elazar said, 'The trishagion will be said before the righteous as it is said before the Holy One, blessed be He'." In a later passage in the Tanhuma[24] and in the condensation in Bereshit Rabbati[25] this potential divinity and predicted worship are presented as the direct consequences of man's being the image of God. So it is in the Latin life of Adam (13ff.), where, after Adam's creation, the angels are ordered to "worship the image of God."[26]

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[17] So far as represented by the entries for these verses in A. Hyman, *Torah hakketubah wehammesurah* (Tel Aviv, 1937-40), 3 vols.

[18] There are occasional traces of such a concern, e.g. the Jerusalem Targum adds *min qodam* between *demut* and *yahweh* in Gen 1:27 (but it translates the relevant words literally in 1:26 and 9:6, as do Onkelos, the LXX and the Peshitto, which also translate 1:27 literally). Contrast this indifference with the concern expressed by a long string of early comments on 1:26, to explain the plurality of "Let us make man." On the other hand, there was early and frequent opposition to anthropomorphism, see the material collected by Marmorstein, *Doctrine,* 2:28ff. and 54 f.—which could easily be increased. Marmorstein's supposition that in Palestinian Judaism there were two schools of thought, one which took the anthropomorphisms of the Bible literally, another which allegorized them, is not improbable, but the evidence he has advanced to identify the members of the schools is far from conclusive. He may be right in seeing a dramatization of a dispute about this matter in The Martyrdom of Isaiah (the Jewish section of the Ascension, according to Charles) where the wicked King Manasseh represents the adherents of the opinion that God is not visible.

[19] Beside the Miqra'ot Gedolot, ad loc., see the striking contrast in Midrash haggadol on Bereshit (ed. Margulies) between the early material on these verses and the comments of the medieval editor.

[20] Wherefore Adam was created circumcized: Abot de R. Nathan, text A, 2 (6b), repeated in Yalqut S. 1.16 and 2.261, cf. The Dialogue of Athanasius and Zacchaeus, 10 (ed. F. Conybeare, *Anecdota Oxoniensa* (Oxford, 1898), p. 7); Justin, Dialogue, 114, Baba Batra 58a and Rashi, ad loc. and the material collected by Marmorstein, *Doctrine,* ii.50 f. Marmorstein's conclusion is (p. 52), "The material quoted ... leaves no doubt that there was a school in Judaism, and an important one, too, that believed in a God who accompanies man in human form and shape". See G. Scholem, *Jewish Gnosticism, Merkavah Mysticism,* 36ff.

[21] Isa 43:7. This translation of this and the following biblical verses is deliberately forced to indicate the interpretations put upon them by the rabbinic contexts.

On the other hand, there is another passage in the Tanhuma,[27] beginning, "The Holy One, blessed be He, said to Israel, 'I am not as flesh and blood'. A human king does not permit men to be called by his name, as you know, for whenever one man wants to accuse another he calls him Augustus so-and-so, and (effectively) kills him. But Israel are called by the name of the Holy One, blessed be He. He is called God, and He called Israel Gods, for it is written, 'I have said, "Ye are Gods"'."[28] The concluding promise is again that of worship by the attribution of holiness, probably the recitation of the trishagion. Here the deification of the just is to be the result of their being called by the name of God and thereby identified with him in nature or office.

(Both traditions as to deification—that by form and that by name—were known to Paul, who evidently attributed considerable importance to the choice between them, for he goes out of his [480] way to insist that although "Messiah Jesus" was "in the form of God" yet "he did not think equality with God something to be grasped at, but ... humbled himself ... wherefore God, in return, exalted him exceedingly and gave him, as a free gift, the name which is above every name," so that he should be worshipped by angels, men and demons, and all "should confess that Jesus, Messiah, is The Lord."[29])

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[22] Jer 23:6.

[23] Ezek 48:3.

[24] Ed. Buber, in the supplement to Shalah, 39a.

[25] Ed. Albek, p. 19.

[26] This notion played a large part in the Life of Adam and Eve, see Kahana's edn. 10; 33.5; 35.3, etc. L. Wells, in Charles' *Apocrypha and Pseudepigrapha,* ii. 137, note on ch. 12, refers to parallels from the Koran and Moses *haddarshan.*

[27] Ed. Buber, Qedoshim, 37b.

[28] Cf. John 10:34. The inevitable rationalizing and moralizing interpretation of such material appears in Sifre Deb. 49 (on 11.22) and parallels. Direct opposition to the literal interpretation—which argues that there was one—appears in Bereshit Rabbah 90.2 (1100f.) and Ruth R., Int. 1.

[29] Phil 2:5-11. A similar opposition to the notion that Adam was to be worshipped by the angels as the image of God is found in Bereshit Rabbah 8.10 (63f.). Here, as above, the worship offered to him was the trishagion. This is explained by an article by E. Peterson, "Polemik gegen die Mystiker," *Ephemerides Liturgicae,* 61 (1947), 339f.,

For our purpose at the moment, the important thing is the agreement of both traditions in arguing from pagan practice. The first passages quoted show that the prominence given by the rabbis to the notion of man as an image of God and as a divine being to be worshipped by the angels reflects the influence of the cult of the statues of the rulers of the hellenistic world and the [481] Roman Empire.[30] So, too, the notion that the righteous will be deified by being given the name of God has been shown, by the last passage, to have been related by the rabbis to the deification which rhetoricians represented as effected by the imperial title. Unquestionably, both these notions had deep and ancient roots in magical practice, and certainly the Bible contained some texts which could be made to justify them. But the passages quoted argue strongly that the *development* of these notions and the *selection* of these texts was due to the influence of contemporary pagan practice.

In such instances as these the preacher who comes to the Bible looking for a proof text happens to find a good one, one which really says what he wants said. But this does not alter the fact that *he finds it because he looks for it, and he looks for it because of the practices or ideas which have become important in the world around him.*

Peterson's observations are so much in point that I summarize them here: The Qedushah in Apostolic Constitutions, 7.35.3 (a section of Jewish origin) is followed by a string of blessings including several which emphasize that none is holy save God. 1 Sam 2:2-3 is used as a proof text, and its context is a polemic against *megalorremosyne* which could be understood as referring to heretics who attributed holiness to themselves. If the prayers in Apostolic Constitutions have this polemic purpose, they follow the Qedushah because that was the favourite prayer of Jewish mystics (Elbogen, Gottesdienst, 19) and it was presumably such mystics who claimed such holiness. Several Jewish magical prayers *(PGM,* 1.12, lines 196ff.; 112, lines 1167ff.; cf. 90, line 522) and Poimandres 1.31 suggest that the recitation of the Qedushah was conceived as a means of invoking the deity or a result of union with him. The angels in 3 Enoch 35. 6 are restored to their original form by the recitation of the Qedushah; presumably the mystics held that man was, too; i.e. he became once more the image of God. Accordingly, the recitation of the Qedushah was much loved in the second century (Finkelstein, *JQR* 56 (1925), 31) and the polemic of the Jewish source of the A.C. probably dates from that period. Thus far Peterson. Add to his evidence the polemic passages cited in the preceding note. There is an interesting parallel between *Papyri Graecae Magicae,* ed. K. Preisendanz (Leipzig, 1928 and 1931), 2 vols. (hereinafter= *PGM),* vol. 1, p. 90 (no. IV, line 522): *hagiois hagiastheis hagiasmasi hagios* and the saying quoted in Shemot Rabbah 38.8 (of Aaron): *yabo' qadosh wiyyikkanes laqqadosh wiyyaqrib lipne qadosh wiyyekapper 'al qedoshim.* Note also the statement in Way. R. 24.8, that when the angels crown God with the triple crown of the trishagion he transfers two of the crowns to the head of Israel. The Jewish tradition as to the effect of the recitation of the trishagion deserves a special and thorough study.

[30] There are many other passages in which this influence is clear, even though not explicit, e.g. Debarim Rabbah, ed. Lieberman, p. 93: "R. Joshua b. Levi said, 'An angelic escort goes before a man and the criers cry out before him. And what do they say? "Make way for the image of the Holy One, blessed by He."'" This must reflect pagan practice so familiar that there was no need to specify it.

Therefore, when we discuss the influences at work on a religion we must look first of all to the world around it, its immediate environment.[31]

II. The Evidence

For the study of Greco-Roman Judaism it is most needful to keep all the different sorts of evidence in mind at the same time. Many works on the subject have gone astray because the authors [482] built on the one or two sorts of evidence each happened to know, and neglected other material which would have shown that even the evidence considered had a significance somewhat different than that supposed. It may be worth while, therefore, to list and to comment briefly on the major bodies of evidence.

To begin, as every study of Judaism must begin, with the Bible. It must be remembered that the latest books of the Old Testament are products of the hellenistic age. Greeks had ruled Palestine for almost two centuries before Daniel was written, and Greek influence had been at work there for centuries prior to the advent of Greek rule.[32] It is therefore at least plausible to attribute such traits of the later Old Testament books as the shift of concern from the nation to the individual and the increase in importance of the concept of wisdom to that great shift in ways of life and thought which prepared for Alexander's conquest.

More certain evidence of hellenization are, of course, the Greek translations of the Bible. The preserved fragments of many different versions show that the translation of parts of the Old Testament into Greek was a process which kept recurring through a long period.

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[31] If this principle seem a truism scarcely worth stating, the excuse for its statement may be found in the present popularity of explanations of details of Judaism by reference to the religions of ancient Syria, Egypt, Mesopotamia and Persia. Undoubtedly the Bible does show appropriation and adaptation of material from all these sources, but it is extremely implausible to attribute to *ancient* or *local* or *peripheral* influences any characteristic of Maccabean or later Judaism which can be explained by reference to the *contemporary* and *universal* and *immediate* influence of hellenistic culture. Moreover, the factor of fashion has to be considered: While the Greeks might dabble in oriental religions and, occasionally, affect native ways, the adoption of Greek ways became, for the natives, the height of fashion (and the means of advancement). Therefore when we find what look like Greek ways appearing in the native religions, it is likely that they result from such adoption.

[32] O. Sellers, *The Citadel of Beth Zur* (Philadelphia, 1933), summarizing the results of his excavation of this site, just south of Jerusalem, says, p. 10: "Foreign influence, even when the Persians were ruling, was largely Greek. Coins and pottery patterns came from the West, rather than from the East." Again, p. 41: "Culturally, from the early part of the fifth century Palestine was dominated by Greece. The few objects showing Persian influence are almost negligible." Substantially these same results are yielded by all the archaeological finds of this area and period.

However begun,[33] it was certainly carried on in Palestine, by and for Palestinians,[34] and by and for both Jews and Samaritans.[35] Palestinian rabbinic literature knows of Greek translations and sometimes approves and uses [483] them[36]; fragments of them have been found in the manuscripts of the Qumran sect and the material found in Origen's time near Jericho (and plausibly attributed to the Qumran group) contained at least one or two Greek translations of parts of the Old Testament.[37] Now the Qumran group seems to have been a sort of hyper-orthodox, self-enclosed ghetto. If, even in such a place, there were some people who could read the Bible better in Greek than in Hebrew, we are justified in arguing *a fortiori* about the linguistic condition of the rest of Palestine.

After the Bible and its Greek translations come the Apocrypha and Pseudepigrapha, some of them originally written in Greek, all of the rest translated into it (some of the translations being made in Palestine).[38] The hellenistic elements in their content have often been discussed.[39] Next to these come the books of the New Testament and those of the Qumran sect and the rabbinic literature of the second and later centuries. The hellenization of the Christians will hardly be disputed. In particular the epistles of the New Testament certainly come from Greco-Roman models, in so far as they were not created *ad hoc* to meet the needs of particular situations. Further, the collecting of a particular man's letters is typical of the Greco-Roman world. But the members of the Qumran group also cast their thoughts into hellenistic forms, and so did the rabbinic teachers. The commentary, in particular, is probably a form of hellenistic origin since it is the natural expression of the sort of learning which was typical of the hellenistic world.[40] Moreover, Lieberman has shown[41] that the exegetic methods of the rabbis were [484] remarkably similar to those of the Greeks and, in several important instances, their terminology was certainly borrowed from Greek sources.[42] Similarly, the new form of Jewish law code which appears in the second century A.D. is probably to be explained by connection with the codification of Roman law which was progressing at the same time. A code which grew solely from previous Jewish tradition would presumably have been much closer in form to earlier Jewish codes, notably Deut, which the sectarian documents did imitate.[43] Moreover, there are a number of parallels, both of substance and of form, between the Mishnah and the Roman codes.[44]

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[33] Clem. Alex., Strom. 1.150.1f. (= 22, end), quotes from Aristobulus a statement that Greek translations of parts of the Old Testament had been made before Alexander's conquest of the Persians (omitting *kai*, with Stählin).

[34] The translations of Aquila, Symmachus and possibly Theodotion were made either in Palestine or by Palestinians. Cf. S. Lieberman, *Greek in Jewish Palestine* (N.Y., 1942), pp. 2 and 17 ff.; H. Swete, *An Introduction to the OT in Greek* (Cambridge, 1914), pp. 31-53. That Theodotion, although originally from Asia Minor, worked in Palestine, is suggested by the tradition that makes him an Ebionite.

[35] R. Devreese, *Int. à l'étude des MSS. grecs* (Paris, 1954), p. 130, n. 6.

[36] Lieberman, *Greek*; E. Bickerman, "Some Notes on the Transmission of the LXX", *Alexander Marx Jubilee Vol.* (English section, N.Y., 1950), pp. 164-5.

[37] *Revue Biblique* (1956), p. 54; Swete, *Introduction,* pp. 53-6. That yet other Greek texts of the Old Testament circulated in Palestine is proved by their appearance in other Judean manuscript finds, cf. D. Barthélémy, "Redécouverte," *Revue Biblique,* 60 (1953), 18ff.

[38] For example, the Greek version of Esther, made in Jerusalem in the time of Alex. Jannaeus, E. Bickerman, "Notes on the Greek Book of Esther," *Proc. Amer. Acad. Jewish Res.,* 20. (1951), 108, 114.

[39] See the refs. in R. Pfeiffer, *History of NT Times* (N.Y., 1949), under the individual books.

All the works hitherto mentioned—the later Biblical books, the Greek translations of the Bible, the apocryphal and pseudepigraphic literature and its Greek translations, and the works of particular sects (including the rabbinic)—all these represent one strand of evidence, that which may be called the Biblical tradition, of which further examples are to be found in the Targumim, the earliest Jewish and Samaritan prayers, the Christian and Samaritan pseudepigrapha and such minor works as the Fasting Scroll and the Testament of Solomon, as well as some Jewish works preserved only in non-Jewish sources—the Jewish liturgical elements in the seventh and eighth books of the Apostolic Constitutions,[45] some of the prayers in the magical [485] papyri,[46] and so on, all of them obviously shot through with hellenistic traits.

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[40] Schmid-Stählin, *Gesch. d. gr. Lit.*, 6th edn., II. i.256.

[41] *Hellenism in Jewish Palestine* (N.Y., 1950), pp. 20-82 and especially pp. 58-60 and 69.

[42] Ibid. *gezerah shawah is* a translation of the Greek *sugkrisis pros ison;* the Hebrew term for numerical symbolism is *gematria (= geometria)* and that for interpretation of words as groups of initials is *notarikon.*

[43] Notably the Manual of Discipline and the Damaskusschrift. The imitation extends not only to wording and style, but also to structure; e.g. the combination of historical and juridical material in a single document: The Damaskusschrift begins like Deuteronomy with a history of the recent vicissitudes of the true Israel.

[44] A formal parallel between Abot and Digesta 1.2 is alleged by B. Cohen, "Peculium in Jewish and Roman Law", *Proc. Amer. Acad. Jewish Res.*, 20. (1951), 135ff. Cohen has demonstrated many particular parallels in points of content, and other evidences of Jewish knowledge of Roman law, see his articles in the *Louis Ginzberg Jubilee Vol.*, the *Alex. Marx Jubilee Vol.*, the *Mélanges Isidore Lévy*, etc. More general parallels of form are also to be found. Of these, the preservation of minority opinions is of very great importance and is in striking contrast to the earlier Jewish and Near Eastern tradition.

[45] W. Bousset, *Eine jüdische Gebetsammlung, Nachrichten*, K.G.W. (Göttingen, 1915), pp. 435ff.; E. Goodenough, *By Light, Light* (New Haven, 1935), pp. 306ff. (on which A. Nock's comments in *Gnomon*, 13 (1937), 163, n.1, though even Nock's knowledge is not so complete as to justify his statement that the expression "having attained remission of transgressions by means of the initiation" is "not possible in Hellenistic Judaism," see p. 486). [However, Nock justly observed in a letter to me (Oct. 17, 1958) that since books seven and eight of the Apostolic Constitutions certainly contain a strong dosage of Christianity, we are not entitled to ascribe to Judaism elements which lack any Jewish parallels. Ascription and denial would be equally hazardous].

In contrast with these, the second great body of the evidence consists of the works written by Jews in the pagan literary tradition—mostly in the tradition of profane literature, though occasionally in the form and perhaps sometimes even in the spirit of pagan religious documents. The chief preserved examples of the profane sort are, of course, the works of Philo and Josephus, of which not the hellenization, but the essential Judaism, requires demonstration.[47] The chief examples of the religious sort are the Sibylline Oracles. Were these written to impress Jews or pagans? If pagans—they show a Jewish missionary propaganda prepared, like Paul, to adopt pagan forms of expression and make itself all things to all men. If Jews—they show that Jews were so likely to be reading pagan oracles and to be impressed by the authority of a pagan prophetess, that it was worth while for a Jewish preacher to disguise himself as a pagan prophetess in order to reach his fellow Jews.

A third great body of evidence is that composed of references to Jews and reminiscences of Jewish works in non-Jewish authors. Beside the great number of references (and the very few literary reminiscences) scattered through pagan literature, this class includes the vast bulk of Christian and early Moslem [486] material, within which special attention is required by the series of works *adversus Iudaeos,* the works of the heresiologists, the references in Roman legal material, the liturgical reminiscences, and other equally diverse and specialized bodies of data.[48] Of all these, the works of the heresiologists and the early disputations against the Jews are the most informative (though perhaps the least reliable). They show a Judaism difficult to reconcile with the traditional picture of orthodoxy and strikingly marked by Greco-Roman influences.[49]

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[46] On which E. Goodenough, *Jewish Symbols in* the *Greco-Roman Period* (New York, 1953ff.) (Bollingen Series, 37), ii. 153ff. and A. Nock's comments, *Gnomon,* 27 (1955), 558ff. An interesting point is raised by Nock's remarks (p. 570) on a charm which he thinks cannot be Jewish, because it is part of a technique to obtain Eros as a familiar spirit. He admits, however, that "it might be the work of a Jew who had wholly or partly abandoned tradition." Now it is not to be supposed that most Jewish magicians limited their supernatural associations to Yahweh, nor that, when they had resort to lesser powers, they thought themselves, or were thought, to abandon Judaism. If a Jew could be supposed to invoke Beelzebub, he could be supposed to invoke Eros. Just what is meant by abandoning tradition? Eros appears on the carved synagogues of Palestine and the Jewish catacombs of Rome; cf. Clementine Homilies, 5.21. [On this Nock commented that even if the spell was composed by a Jew, it still could not be used as evidence for a mystery supposedly performed in "regular" synagogues. What, if anything, beside the daily prayers, went on in "regular" synagogues—whatever they were—is very hard to tell, but as to Jewish magicians invoking pagan deities, the *Sefer Harazim* now recovered from Geniza fragments by Prof. Margalioth contains an invocation of Helios in Greek transliterated into Hebrew, undoubtedly written by a Jew who was steeped in the Old Testament and a master of the Hebrew style of his times (probably 4th c. A.D.)].

[47] Such a demonstration has been given in Philo's case by H. Wolfson, *Philo* (Cambridge, 1947), 2 vols. For Josephus' loyalty to Judaism see my article "Palestinian Judaism in the First Century" (see above chapter nine).

Finally there is the archaeological material, which falls into two great groups: one which is properly literary (and can be classed as archaeological only by the accident of its finding)—the papyri, the Dead Sea documents and the like; another which is properly archaeological, in the sense that any writing on the objects is subordinate to the objects themselves, as explanations of their functions or the like. Here belong both individual objects—gems, coins, glassware, pottery, ossuaries, sarcophagi and so on—and the complexes of data yielded by excavations, which have brought to light a great number of structures—tombs, catacombs, synagogues, forts, palaces—and even whole settlements (Qumran) and towns (Gezer, Samaria, Sepphoris). The bulk of this properly archaeological material is composed of objects completely hellenistic in form.

Of these four bodies of evidence—the works of the Biblical tradition, the Jewish literature of pagan style, the testimonia concerning Jews, and the archaeological material—no one is complete by itself. Each must be constantly supplemented by reference to all the others. And each carries with it a reminder that the preserved material—even when accessible—represents [487] only a small part of what once existed. By their very existence, they demonstrate how much has been lost; by the variety of the material they preserve, they prove the extent of our ignorance and tacitly warn of the danger of supposing that what is not to be found in them was never to be found at all.

This supposition would be dangerous in any field of ancient studies, but it is especially dangerous in the study of Judaism, because Jewish material has come down to us heavily censored. The censorship has been double—an external censorship by Christian authorities and a domestic censorship by Jews. (The domestic censorship we have seen above, at work in Exodus Rabbah, in the material collected by

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[48] The best single survey of this literature is still that in J. Juster *Les Juifs dans l'Empire Romain* (Paris, 1914), i.31-179. For the earlier classical literature see E. Schürer, *Geschichte des jüd. Volkes,* 3/4 edn. (Leipzig, 1901), i.41-74 and 106-11.

[49] The Jew Trypho in Justin's *Dialogue* begins a philosophical dispute in which he hears without protest that the Pharisees are a *hairesis* (like the Sadducees, Genistoi, Meristoi, Galileans, Hellenianoi and Baptists) whose members no one speaking accurately would call Jews (80.4), and that the Jews maintain God does not accept sacrifices made in Jerusalem, but only prayers offered in the diaspora (117.2). Justin was a native Palestinian. The Judaism described by Epiphanius—another Palestinian—is even more surprising.

Hoffmann as Midrash Tannaïm, and in the Targum on Psalms.) What material we have, is only such as got through this double sieve.[50] Yet even this preserved material, as we have seen, testifies *consistently* to the hellenization of ancient Judaism. What, then, would have been the testimony of the material which has disappeared? We cannot be sure.

However, it is a suggestive fact that the objections in the third century to books of haggadah were much more violent than anything now preserved in such books would seem to excuse. Rabbi Joshua b. Levi said that those who wrote such books, or who read them, would have no share in the world to come.[51] R. Hiyya bar ʻAbba said their hands should be cut off.[52] R. Ze'ira calls their works 'books of magic'.[53] What can have justified such expressions? Perhaps the many parallels which still exist between haggadic statements and expressions in the magical papyri[54] are, like the shards on a tell, mere scattered indications of what has been destroyed.

III. The Archaeological Evidence and the Work of Goodenough

With these possibilities in mind, let us turn to the work of E. Goodenough, *Jewish Symbols in the Greco-Roman Period.*[55]

As to the usefulness of the work there is, of course, no [488] question. Goodenough has performed an invaluable service by bringing together a great mass of the archaeological evidence. From now on his first three volumes, in particular, are an indispensable introduction to the study of the physical remains of Greco-Roman Judaism (and no serious study of the religion can safely neglect its physical remains).

As to the significance of these remains, Goodenough finds that most of the religious Jews in the Greco-Roman world (which for him includes, as it did in fact, Palestine) were primarily concerned about salvation, by which they meant spiritual peace in this life and the assurance of happiness hereafter.[56] To describe this salvation they certainly used the language of the mystery religions and to achieve it, he thinks, they may have adopted some of the mystery rites, particularly those involving a cup of wine which brought some special blessing. They gave a mystic interpretation to the Sabbath and the festivals and called those who agreed with them 'initiates', as contrasted with those who did not. That some Jews went further than this, Goodenough says, is possible, but unsubstantiated. Moreover, even those who went this far did not necessarily abandon the Law. Most Jews, like Philo, must have continued to observe the commandments as they knew them from Scripture and from their local traditions. They did so because of their loyalty to the group, because they thought these commandments valuable as spiritual discipline, and because they attributed to them allegorical meanings. It was this allegorizing and mystical Judaism which they expressed in the symbols they put on religious objects. Outside Palestine such expression was generally free to use animal and human forms; inside Palestine it was limited to vegetable and geometrical symbols by the Pharisees, who were able to enforce this limitation from the rise of the Maccabees to the destruction of the Temple, and whose rabbinic successors continued to exert great influence until the fall of Bar Koseba. After 135, however, the successors of the [489] Pharisees were reduced to an isolated clique and the popular mystical religion had its hands free in the decoration of the synagogues of Galilee and the catacombs of Beth Shearim as well as of those in Rome and North Africa. Only with the Middle Ages did the followers of the rabbinic tradition, from their base in Babylonia, succeed in converting most Jews of the Mediterranean basin to the Judaism of the Talmud. Thus Goodenough.

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[50] What has disappeared in the relatively short period since the Middle Ages is suggested by S. Lieberman's book *Sheqi'in* (Jerusalem, 1939).

[51] J. Shabbat, 16.1 (15c).

[52] Ibid.

[53] J. Ma'aser, 3.10 (51a).

[54] For examples see the last section of this essay.

[55] New York, 1953ff. (Bollingen Series, 37).

[56] Goodenough could have supported this opinion with a number of passages from rabbinic literature, for instance, Abodah Zarah 19b: "R. Alexandri (went about) crying, 'Who wants life? Who wants life?' All the world came flocking to him, saying to him, 'Give us life!' He said to them" (Ps 34:13ff.). R. Alexandri here begins like a typical Greek street-corner philosopher.

It is inevitable that so comprehensive a theory should lay itself open to attack from many sides. That the Pharisees, even during the short periods when they were certainly in power, could have controlled the decorative art of the whole country seems impossible. That after the fall of Bether the rabbis were reduced to an unimportant clique is contradicted by the implications of a vast number of stories in rabbinic literature and by the provisions of Roman law, which from the time of Constantine, at least, granted the Jewish Patriarch the same rank as the foremost Christian clerics and empowered him to send out representatives to "exact" tribute from the synagogues.[57] Along with the theory of the isolation of the rabbis goes a false notion of rabbinic Judaism as almost free of Hellenization. This often results in the supposition that Hellenistic material must be contrary, or at least alien, to rabbinic influence.

In considering the work as a whole, however, it seems less important to justify these criticisms in detail than to ask how far, if justified, they would affect the theory. For the theory is not a unit. The role assigned to the Pharisees, for instance, is unnecessary to the interpretation of the symbols. The Pharisees and their successors, though undoubtedly important, were only one branch of the religion; therefore Goodenough may be right in refusing to force the interpretation of the archaeological material to accord with rabbinic dicta. The final truth or falsity of the theory as a whole, therefore, can be determined only by careful reconsideration of all the evidence. It is a great merit of the work to have facilitated such reconsideration, not only by collection of the archaeological material, but also by emphasis on important facts which that material, when collected, and only when collected, reveals. [490]

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[57] Codex Theod. 16.8.13-17.

The first of these facts—which we should never have expected even from the Greco-Roman literary remains—is the wide extent of iconic decoration from the second century on. Of course, there were some references to iconic decoration in the literature: even Herod Agrippa I, the friend of the Pharisees, had in his palace at Caesarea statues of his daughters.[58] But hitherto such details could be treated as exceptional. Now that the material has been collected it appears that decoration with human figures was customary even in Jewish religious buildings. The second and third century catacombs of Rome show Victory crowning a youth, Fortuna pouring a libation, cupids, adolescent erotes, and so on.[59] A similar catacomb is reported near Carthage.[60] The second or third century synagogue of Capernaum had over its main door an eagle, carved in high relief Over the eagle was a frieze of six naked erotes, carrying garlands Inside was not only a frieze containing human, animal and mythological figures, but also a pair of free-standing statues of lions, probably in front of the Torah shrine.[61] The synagogue of Chorazin, of about the same date, had similar statues and a frieze showing vintage scenes of the sort traditionally associated with the cult of Dionysus.[62] Remains of some dozen other synagogues scattered about Palestine show traces of similar carved decoration.[63] There are human figures in high relief in the second-to-fourth century catacombs of Beth Shearim.[64] From the same period the synagogue of Dura shows a full interior decoration of frescoes representing Biblical scenes.[65] From the fourth and fifth century synagogues of Palestine we have half a dozen mosaic floors, and there is reason to believe that in about half of them the central panel was occupied by a picture which, if not found in a synagogue, would be recognized as a representation of the sun god driving his chariot.[66]

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[58] Antiquities, 19.357.
[59] Goodenough, ii.4-44.
[60] Id. 2.63-8.
[61] Id. 1.181-92.
[62] Id. 1.193-9.
[63] Id. 1.199-225.
[64] Id. 1.89-102.
[65] Id. 1.227-32.

So long as these remains were studied one group at a time, they might be explained as heretical. This is now impossible On the other hand, it is dangerous to explain them as orthodox first, because the meaning of orthodoxy is uncertain for this [491] period, second, because the carved decoration of the Galilean synagogues shows deliberate mutilation: human and animal figures have been chipped away carefully, so as to leave the rest of the carving undamaged.[67] Similarly, the eyes of some figures in the Dura synagogue have been gouged out, but the rest of the faces left unmarked.[68] Again, a sarcophagus in Beth Shearim was broken up in ancient times, probably because it showed Leda and the swan and other carved figures.[69] Unfortunately, the date of the mutilations in the carved synagogues is a matter of dispute. Those who maintain that carved decoration was always permitted by orthodox Judaism can blame the destruction on the Moslems. But if these synagogues housed orthodox Judaism, then it must have been somewhat different than it is pictured by the rabbinic literature.[70] This is true even of Dura, where the decoration looks most nearly orthodox. At Dura, in the south doorpost hole, under the plaster, was a small, irregular cavity, containing the bones of one human middle finger and the end bone of another; in the sockets of the smaller door were found several human teeth.[71] If the finger bones had sufficient flesh attached to them when they were placed there they would have rendered everyone in the building unclean.[72] This, however, can scarcely have been the object of the person who put them there—if we can judge by rabbinic law, for it held such uncleanness to be general in gentile lands, where graves are not marked and there is no assurance that a man may not at any moment walk above one.[73] Therefore this is probably no mere question [492] of uncleanness: Goodenough is probably right in saying that these bones were put in the building deliberately, by the builders, in some sort of "foundation ritual."

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[66] Id. 1.239-62.

[67] Goodenough, 1.184-9; 193-6; 201-4; 206; 208.

[68] Goodenough, in a note to me, compares Rosh Hashshanah 24b, where to "put out the eye" of a figure on a ring means to disfigure it so that it will no longer occasion the suspicion that it is an object of reverence.

[69] Id. 1.138.

[70] For the upshot of the rabbinic evidence see B. Cohen, "Art in Jewish Law", *Judaism* 3 (1954), 165ff.

[71] Goodenough, i.228.

[72] 'Oholot, 2.1.

[73] 'Oholot, 18.6. Further, even rabbinic tradition contains some elements which show an amazing indifference to this consideration, e.g. the story that Solomon brought the coffin of David into the Temple (Pesiq. Rab. 2, ed. Friedmann 6b, & parallels). Instead

This, therefore, is the first problem which Goodenough's work reveals: On the one hand, rabbinic literature shows us the rabbis exercising a wide influence, and its evidence is confirmed by that of Roman law. On the other hand, the preserved archaeological material shows us details which look very different from what the rabbinic literature would lead us to expect How can these two bodies of evidence be reconciled? Elements of the eventual reconciliation (if any) may be suggested by what has been said above: A great deal of rabbinic literature has not been preserved; the great bulk of non-rabbinic Jewish literature has been lost; most of the written material which *has* come down to us is preserved in late manuscripts which have passed through a double censorship. We have seen above several cases where such censorship deleted from rabbinic material references to the human form as an image of God. Compare the removal of human and animal forms from the synagogues.

Another point made clear only by Goodenough's work is the chronological sequence and change in the styles of decoration. Roughly speaking, the most important datable material falls into three great groups. First is the Palestinian material of the first centuries B.C. and A.D.; next come the great catacombs both in Palestine and in the Diaspora, and the carved synagogues in Palestine, which are typical of the second and third centuries A.D. (contemporary with these is Dura, which is the first example of a transitional group of synagogues); finally come the synagogues with extensive mosaics, principally, but not exclusively, in Palestine and mostly in the fourth and fifth centuries.[74]

The first group—the Palestinian material of the first centuries B.C. and A.D.—is characterized by the almost total absence of animal and human figures. It comes principally from the big tombs around Jerusalem, from ossuaries and lamps found mostly in tombs, and from the Maccabean coins. Since the [493] ossuaries and elaborate tombs could be afforded only by the rich and the coins show the choice of government officials, this material probably represents *principally* the taste of the Sadducees and the Herodians. This may partly account for the predominance—especially in the tombs—of vegetable decoration

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of polluting it, this produced the descent of the heavenly fire. Can this story, or the practice of Dura, have been influenced by the Christian use of the remains of martyrs?

[74] While the magical gems with *Iao, Sabaoth* and the like cannot be dated certainly, most of them come from the third to the fifth century A.D. and from the eastern half of the Roman Empire, especially Syria and Egypt.

which is reminiscent of contemporary Roman style.[75] Similar Roman influence has been remarked in the Herodian coin types[76] and in the *opus reticulatum* of the Herodian palace at Jericho, for which Italian architects and builders were imported.[77] Roman or otherwise, there is no question that vegetable and geometric decoration makes up almost all the Jewish art of this period, and that the most significant thing about this art would seem to be its *apparent* (which here does not mean *certain)* lack of significance.

Yet even some of the elements of this style of decoration seem to have had, sometimes at least, some symbolic significance, as signs of good luck or of a hope for better things either in this world or hereafter. Goodenough seems justified when he argues that some such significance must have been attached sometimes to the representation of a wine-jar or cup, sometimes with a vine growing out of it. As he points out, jar and vine together were found on an amulet placed between the thighs of a female figure in an undisturbed Jewish grave of the late Roman period in [494] Gezer, and a design on an amulet so used is presumably significant.[78] There are also one or two ossuaries on which the sort of chalice from which the vine customarily grows has been added, more or less inexpertly, to the ready-made decoration.[79] Such deliberate addition does look meaningful. Another such symbol may have been the lily, since Goodenough has shown that lilies also were added inexpertly to ossuaries[80] and we shall meet them presently in another connection. Apart from these, however, the most striking characteristic of the art of this period is its apparent insignificance.

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[75] Goodenough, 3, nos. 22-32. The commonest element is an architrave decorated with triglyphs and with rosettes, wreaths, bull's-eyes, or other round objects in the metopes (nos. 25, 28, 29, 30, 31, 32). This appears also in Pompei: H. Beyen, *Die Pompejanische Wanddekoration* (Haag, 1938), I, Tafeln, nos. 82, 83; L. Curtius, *Die Wandmalerei Pompejis* (Leipzig, n.d. (1929)), figs. 60, 77, 79. In Goodenough, 3.26 the metopes are left blank, as they are, e.g. in Curtius, fig 43. The wreath and rosette of the lower element of Goodenough 3.31 are strikingly similar to those of the *ara pacis,* Curtius, fig. 80, cf. L. Curtius, *Das Antike Rom* (Vienna, n.d. (1944)), no. 157. The same type of wreath appears in Pompei, Beyen 6a-c, 77, 87. The use of two vines growing from a group of three acanthus leaves, which appears in Goodenough 3.22 and 23, also appears on the *ara pacis,* Curtius, *Antike Rom,* nos. 154, 155, 158. The pyramid of Goodenough 3.27 recalls, of course, the pyramid of Cestius (a Neopythagorean?), Curtius, A.R., no. 177; the concave cone of 3.28 appears in Pompei: Beyen nos. 56-8=Curtius, W.P., figs. 70, 74. Thus almost all the motifs found in these monuments appear in contemporary Roman art.

[76] J. Meyshan, "The Coinage of Agrippa the First," *Israel Explor. J.,* 4 (1954), 186ff.

[77] J. Kelso and D. Baramki, *Excavations at NT Jericho* (New Haven, 1955) (Annual ASOR, 29-30), 5b and 10a-11a.

[78] Id. 1.166 [A. D. Nock suggests that the jar was to protect against thirst in the hereafter (letter of October 17, 1958).]

[79] Id. 3.155 and perhaps 157.

[80] Id. 3.192 and perhaps 175.

This makes more important the fact established by Goodenough, that the next period—chiefly the second and third centuries A.D.—shows the sudden and widespread appearance of forms much more likely to be symbolic. These forms, as Goodenough remarks, are of two classes: first come those drawn from contemporary pagan art—eagles and other birds, erotes, victories, mythological figures like sirens and centaurs, lions and so on, which appear on both the Roman catacombs and sarcophagi and the carved synagogues of Galilee. These are the most puzzling part of the whole body of material. It is difficult to conceive of a form of ancient Judaism which would symbolize some point of its belief or practice by a carved representation of a band of erotes, but it is equally difficult to conceive of a Jewish congregation of which the leaders, choosing decorations for their synagogue, with all the range of conventional Greco-Roman decoration to choose from, should choose by mere aesthetic preference to put six naked, adolescent erotes over the main entrance. In more abstract terms; if the objects are insignificant it is very difficult to explain why they were chosen, but if they are not insignificant, what can they possibly signify?

Here the discussion is complicated by the fact that these objects are among those customarily represented by classical art, and their significance in classical art is also a matter of dispute.[81] [495] There is agreement that they were interpreted philosophically by the Pythagoreans and Stoics and by some small religious groups of lower social standing.[82] It is agreed, too, that on some monuments, at least, these common objects are used as symbols of the philosophical or religious interpretations attached to them.[83] On the other hand, it has been tacitly assumed that they are used on many other monuments as pure decoration or with exclusively secular meanings. This assumption is not beyond question. Every action in the ancient world had its appropriate deity—as the word *venery* still testifies[84]—and it is not to be taken for granted that the figures in the wall decorations of Pompei, for instance, merely because they were not worshipped, were therefore wholly without religious significance.[85]

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[81] See especially F. Cumont, *Recherches sur le symbolisme funéraire des Romains* (Paris, 1942) (H.-C. de l'Etat fr. en Syrie et au Liban, *Bibl. Arch. et Hist.*), p. 35 and A. Nock, "Sarcophagi and Symbolism", *AJA,* 50 (1946), 140ff., summarized in his review of Cumont, *JRS,* 38 (1948), 154ff. Further, C. Hanfmann, *The Season Sarcophagus in Dumbarton Oaks* (Cambridge, 1951), 2 vols.; Nock's review of Goodenough, in *Gnomon* 27 (1955), 558ff., and the literature cited in these works.

[82] Nock, *AJA,* 50.169, finds evidence for lower class resort to allegorization in Hippolytus' report of the Naasenes, *Philosophumena,* 5.1ff.

[83] E.g. in the underground basilica in the Porta Maggiore, Nock, *AJA,* 50.168; cf. M.-J. Lagrange, review of J. Carcopino, *La basilique pythagoricienne* (Paris 1926), in *RB,* 36 (1927), 599ff.

[84] E.g. *kai ta Demetros kai ta Aphrodites* = "both eating and sexual gratification," Diog. Laert. 6.69; cf. the remarks of R. Marcus, "Jewish and Greek Elements in the LXX," *L. Ginzberg Jubilee Volume* (English Section, New York, 1945), pp. 232-3.

However, if it be granted that such a thing as wholly secular art did exist in the ancient world, and if many of the apparently Dionysiac remains be described as secular, it will follow that secular and religious art often represented the same objects in the same way. Therefore the connotations—as opposed to the significance—of the one can scarcely have been absent from the other. As Cumont says with reference to Dionysiac scenes, "it would be absurd to suppose" that they could have been used without knowledge of their common mythological significance.[86] [496] Therefore any estimate of the significance of such motifs when they appear in Jewish material must explain them either by the supposition of a very tolerant, not to say syncretistic, Judaism, or by a significance sufficiently important to lead the users to overlook these inevitable pagan connotations.

For such an explanation it is not enough merely to find some excuse which might account for such objects not having been prohibited. They were not put in synagogues merely because they were not prohibited. Any number of other objects were not prohibited, but were not represented, either. It is necessary to account, first, for the representation of these particular objects, and second, for their representation in spite of the pagan connotations they must have carried. The supposition that some symbolic meaning was attached to them would satisfy these requirements and is not, *per se,* impossible, since symbolic meaning was admittedly attributed to them by some groups in the pagan world. That some Palestinian and Roman Jews followed the example of these groups in allegorizing statues and pictures, as some Alexandrian Jews did in allegorizing laws and legends, is not unlikely.

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[85] Contrast Nock, *Gnomon,* 27.566. In speaking of public buildings it must be remembered that the ancient state dealt with the gods as well as with men, and since the gods were concerned in all acts of life, all its functions were, to an extent, religious.

[86] *Recherches,* p. 486, cf. Nock, *Gnomon,* 27.564. The supposition would be particularly unlikely for synagogues in the basin of the Sea of Galilee, since the largest town in the basin, Scythopolis, was the legendary site of the tomb of Dionysus' nurse, Nyssa (from whom it was said to take its alternative name) and was a centre of his cult (C. Hill, "Some Palestinian Cults," *Proc. Brit. Acad.* (1911-12), pp. 411ff.). Nock's statement that "only to Gentiles did the golden vine of the Temple *suggest* Dionysus" (my italics) is unsupported and can hardly be true, given the earlier history of the association of the cult of Yahweh with that of Dionysus-Sabazios (see the refs. collected by S. Cook, *The Religion of Ancient Palestine* (London, 1930) (Schweich Lectures, 1925), pp. 194f.; H. Gressmann, *Die Aufgaben der Wissenschaft des nachbiblischen Jdtms.* (Giessen, 1925), pp. 16ff. and M. Nilsson, *Gesch. der gr. Religion* (Munich, 1941-50), ii.636f.). The mask of Silenus which accompanies the enthroned god on the YHD coin of about 350 B.C. (Goodenough 3.670) can hardly be explained as a reference to the theatre. The cult of Dionysus had evidently made its way into Palestine by that time, but it is almost incredible that the Greek theatre should have followed it so soon. Hanfmann's suggestion, *Sarcophagus* 1.195, that the vintage scenes on Jewish sarcophagi may be interpreted as seasonal rather than Dionysiac, neglects the fact that the vintagers are putti, and rests on what is probably a false antithesis, made possible by the separation of two connotations of vintage normally conjoined in ancient thought.

Its likelihood is increased by the fact that the other group of forms which appears in this same Jewish art of the second and third centuries is made up of Jewish objects which are almost [497] certainly symbolic[87]—the menorah, the lulab, the ethrog, the shofar and the Torah shrine. It is one of Goodenough's major contributions to have pointed out[88] that these are all second century introductions, either extremely rare or entirely absent in the earlier periods. Some are of obvious significance. It can hardly be doubted, for instance, that the Torah shrine means the Law—however the Law may have been interpreted—and that when it is put in the centre or at the top of a decorated area it means that the Torah is the centre or the highest thing of life. But if this be granted it should follow that an equal significance is to be attached to the fact that in the diaspora the Torah shrine is comparatively rare. Outside Palestine the menorah is much more frequent and it is usually the menorah which is the centre of decorated areas. There is even one instance, in the catacomb of Torlonia, where the menorah is in the centre and the Torah is off to one side.[89] Another interesting fact is that on amulets there are many menorahs[90] but, so far as I remember, no Torah shrines.

IV. The Menorah and the Tree

What, then, did the menorah mean? Goodenough has pointed out an inscription under a menorah[91] which has been restored as reading "Image of the God who sees." But the restoration is not perfectly certain.

Some evidence as to the meaning of the menorah and, especially, as to why it was appropriate for graves, is to be found in Sifre Debarim 10:[92] "R. Simon b. Johai says, 'The faces of the righteous in the world to come appear as seven joys: as the sun [498] and as the moon, as the firmament, as the stars and as the lightnings and as lilies and as the menorah of the Temple. Whence do we learn, "as the sun and as the moon"? Because it is said, "Beautiful as the moon, clear as the sun."[93] Whence, "as the firmament"? Because it is said, "And those who are wise shall shine as the glory of the firmament."[94] Whence, "as the stars"? Because it is said, "And those who turn many to righteousness shall be as the stars."[95] Whence, "as the lightnings"? Because it is said, "They shall dart as the lightnings."[96] Whence, "as lilies"? Because it is said, "For him who triumphs together with lilies."[97] Whence, as the menorah of the Temple"? Because it is said, "And there are two olive trees beside it, one on the right of the bowl and the other on its left.""'"[98]

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[87] This argument is applied by Hanfmann, *Sarcophagus,* 194, to the interpretation of the sun and the seasons in the mosaics on the synagogue floors. He supposes that, because of their Roman sources, it is possible that these mosaics "may be no more than calendars," but goes on to observe that "since other mosaics in these synagogues show objects of cult, an allegorical interpretation seems more likely."

[88] 1.86; 4.67f.

[89] 3.810. Cf. the gold disk, 3.1034, where the lulab looks so much like a Torah scroll as to make its identity doubtful. (I cannot see the resemblance to 1033 referred to by Goodenough 2.222.)

[90] Goodenough. 3.1009-34.

[91] J.-B. Frey, *Corpus Inscriptionum Judaicarum* (Vatican City, 1936-52), i.696.

[92] On Deut 1:10, ed. Finkelstein, p. 18.

Now this is clearly an example of what was discussed above of a preacher getting his ideas from the surrounding world and then hunting out verses from the Bible to justify them. R. Simon has from somewhere—certainly not from the Old Testament, but probably from the Greco-Roman world around him[99]—the notion that there are to be seven classes of saints in the world to come. This notion was widely accepted in Judaism[100] and R. Simon wished to find verses of Scripture to justify it. For this purpose he was apparently able to draw on a number of earlier interpretations which treated single verses or groups of verses as descriptions of the righteous in the world to come. The first of these interpretations used a verse from the Song of Songs, which, [499] in typical Hellenistic fashion, it interpreted allegorically. There it found the beloved compared to the sun and the moon, and it applied these comparisons to the righteous in the world to come. Next there was a good, strong proof text. Daniel (a work of the Hellenistic period) actually does contain the idea that the good will hereafter shine as stars and share the glory of the heaven—another notion which pretty certainly did not come from ancient Israelite belief and which was very common in the Hellenistic world.[101] So R. Simon used Dan 12:3 for two more classes. Next there was a verse in Nahum which said war chariots glitter like lightnings when rushing through the streets of a city. Any indefinite reference to war could be understood as referring to the war of the Messiah. Therefore someone took the comparison to lightnings as a description of the righteous, and R. Simon included it in his list. Next there was a Psalm which could be understood to refer to the Messiah and which had at the head of it three obscure words which could be forced to mean, "to him who triumphs together with lilies." So the lilies could be taken to be the companions of the Messiah. Nobody would ever have thought of this meaning unless the lily had already become a symbol for the saints in the future life or the immortal soul or the resurrection or something of the sort. But we have seen from Goodenough that people in the century before R. Simon were already adding lilies to the decorations of their ossuaries. Further, a passage in the Mishnah[102] suggests that lilies were customarily planted on graves, and the Gospels use them as an example of the saints in this present life.[103] So it is not unreasonable to believe that the lily had already acquired some such meaning. Another reason for thinking it had, is that R. Simon felt compelled to work it into his list, where it is patently out of place in a series of luminaries. [500]

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[93] Cant 6:10.

[94] Dan 12:3.

[95] Ibid.

[96] Nahum. 2:5.

[97] Ps 45:1.

[98] Zech 4:3.

[99] Cumont, *Recherches*, p. 383, n. 4, thinks this notion comes from that of ascent through the seven planetary spheres, originally 'chaldean', then hellenized and diffused throughout the Roman Empire.

[100] E.g. in Sifre Deb. 10 it is evidenced by two distinct sayings. It is found beside the passage cited above, in Sifre Deb. 47 on Deut 11:21 (ed. Finkelstein p. 105) ; in Midrash Tannaïm on the same verses of Deut. (ed. Hoffmann pp. 6 and 40); in J. Hagigah, 2.1 (77a); Wayyiqra Rabba, 30.2; Midrash Tehillim on Pss 11 (sec. 6) and 16 (sec. 12) (ed. Buber, fols. 51a and 62b); Pesiqta de Rab Kahana 28 on Lev 23:40 (ed. Buber, fols. 179b f.); and Yalqut Shim'oni 2.59 on Judges 5:31, and 2.656 on Ps 11:7. In Judaism outside rabbinic literature the idea appears in 4 Ezra (= 2 Esdras) vii.91ff., where it has probably been superimposed on an earlier saying listing the seven joys of the saints—a saying which also has rabbinic parallels, some of them occurring in connection with the passages cited above (notably as interpretations of Ps 16:1).

Finally we come to the menorah. Zechariah saw a menorah standing between two olive trees. He asked what this meant and the angel who was with him told him that the seven lamps of the menorah are the seven eyes of the Lord, and the two olive trees are the anointed who stand by the Lord.[104] That the seven lamps of the menorah are the seven eyes of the Lord—i.e. the seven planets (?)[105]—

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[101] For the frequency of the belief in astral immortality, F. Cumont, *Lux Perpetua,* Paris, 1949, chapter 3. Many rabbinic passages imply the notion; a particularly explicit development of it is in Sifre Deb. 47 on Deut 11:21 which, *inter alia,* attributes to R. Akiba the (gnostic?) belief that there are sixty heavens, explains the differences in glory of the saints by reference to the differences in glory of the stars (so 1 Cor 15:4), and compares (or identifies?) the saints' rule of the world with that of the constellations.

[102] M. Tohorot 3.7.

[103] Luke 12:27f. and parallel.

[104] Zech 4:1-14.

[105] The identification of the seven lights with the seven planets is suggested by Zechariah's statement that they "run back and forth over the whole earth" (4:10) and is made by ancient tradition (see below) and by many modern commentators (see T. Robinson and F. Horst, *Die Zwölf Kleinen Propheten* (Tübingen 1954), p. 231). Professor A. Sachs, in conversation with me, has expressed doubt that the seven planets were known in Judea as an astronomical class at the time of Zechariah (520-518 B.C.). It may be that for Zechariah the seven eyes of Jahweh were seven angels conceived as analogous to the Persian administrative officials, "the eyes of the King" who traveled all over the empire and reported to the central government (CAH. 4.197-8). However, by

is echoed by the magical papyri, where the sun and moon are the eyes of Agathos Daimon = Abraarm (sic) = Iao,[106] and explains and confirms the reading on the inscription noticed by Goodenough, "Image of the God who sees."[107]

Further, the notion that the menorah is a symbol of God appears in other material. Josephus in his tract against Apion[108] tells a story circulated, but not invented, by the latter, to the effect that the Temple had been robbed by an Idumean who played on the Jews' credulity. He persuaded them that an epiphany of Apollo was to take place there. So persuaded, they remained at a reverent distance, while he played the part of the present deity by wearing a wooden device on which he had fixed three rows of lights, so that they seemed, to those at a distance, like stars moving upon the earth. Presumably Josephus is right in describing the story as a malicious fiction. But presumably, also, the story reflects what it was thought the Jews would expect to see if an epiphany took place. Evidently some Jews shared this opinion, since one carved such a deity on the walls of a catacomb in Beth Shearim[109]—a figure, in high relief, of a man [501] wearing a menorah on his head. The thought of the man who carved this image was probably expressed by a prayer found in two Coptic magical papyri: "Jao Sabaoth be on my head, Adonai Eloi in my heart, that they lend me brilliance" and the carving has iconographic analogues among the drawings in the magical papyri.[110] Accordingly it is not

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the time of Philo and Josephus the astral interpretation was evidently standard, as their independent use of it argues. For the rabbinic use of it, L. Ginzberg, *The Legends of the Jews* (Philadelphia, 1909-38), 7 vols., vi.65f., n. 339.

[106] *PGM,* ii.122.

[107] Of course a reference also to Gen 16:13f.

[108] 2.112ff.

[109] Goodenough, 3.56.

[110] A. Kropp, *Ausgewählte Koptische Zaubertexte* (hereafter = *AKZ)* (Brussels 1930-1), 3 vols, ii.91 (no. 28), cf. ii.139 (no. 40). Cf. the specification in Sifre Zutta 8.2 that the lighting of the lamps of the menorah was to be *kemin 'atarah,* "like a wreath" or "crown"—this Horovitz, ad loc. could not explain. Goodenough, 1.92 follows Abi-Yonah in thinking the carving an example of a "series of human figures supporting the symbols of their religion". Even if Abi-Yonah's figures represent Christians rather than Christ, it would remain to be determined whether they were human in more than form. The carving at Bet Shearim is at least equally close to some drawings of deities in magical papyri, e.g. a figure which represents an epiphany of Bes-Helios-Iao-Sabaoth-Adonai, B.M. Pap. 122, published in *PGM,* ii. 48ff. (no. 8, lines 65-110) and Pl. 1, Fig. 6. (Note the similarity of the costumes. In the papyrus the headdress may, at the time of drawing, have been understood as a representation of lights, but was actually a simplification of the ancient "hemhem" crown, see C. Bonner, *Studies in Magical Amulets* (Ann Arbor, 1950) (University of Michigan Humanistic Series, 49), 250. Bonner's reproductions nos. 217-19 show it worn by Harpocrates whom we shall meet again, below, as an image of Iao.) See also the figure represented in *Papyri Osloenses* I, ed. S. Eitrem (Oslo, 1925), p. 20 (badly reproduced in *PGM* ii.177 (no. 39)). The growths from the head might be seven in number and might represent the menorah, the

surprising to find in Philo that the menorah is the symbol of "heaven" and its lights, of the planets[111]; in Clement of Alexandria[112] that the lights symbolize the seven planets and the menorah itself is "the sign of Christ." In the Tanhuma the menorah is equated with the Lord leading Israel as a pillar of fire.[113] In Midrash Tadshe its light is said to symbolize that of the Shekinah.[114] In Pesiqta Rabbati[115] the menorah is taken as a symbol of Israel and the bowl "on its head"[116] as God. This recalls the Apocalypse[117] where the seven golden lamps are the seven churches, and Christ is in the midst [502] of them, but compare also Chrysostom's statement that "as the lamp has the light on its head, so also the cross had blazing on its head the sun of righteousness."[118]

Evidently the menorah may be a symbol of God,[119] or of the macrocosm, or of the microcosm, the individual saint. This is what we should expect in a theology influenced both by the Platonic notion of the cosmos, especially the celestial spheres, as an image of God,[120] and by the Biblical notion—extended under Greco-Roman influence—of man as God's likeness. Accordingly, it is well within the limits of the evidence to see in the belief that the just were to become like the menorah a particular example of the belief that they were to become like God. Beholding his glory, as one Jew said, they were to be "changed into that same image, from glory into glory."[121]

But here we have a difficulty. R. Simon says the just will be like the menorah, but he quotes as proof text the verse about the olive trees

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tree of life, or the feather crown of Bes (F. Lexa, *La Magie dans l'Égypte antique* (Paris, 1925), 3, Pl. 21, Fig. 28), but they look most like "the seedfield head of Agathos Daimon." Agathos Daimon in the magical papyri is frequently identified or associated with Iao. The text here is a love charm of a type in which Iao is often the deity invoked (more often, I believe, than Bes). It contains nothing which could not have been written by a Jew.

[111] Moses 2.102-3.

[112] Stromata 5.6.34.9-35.2.

[113] Tezawweh 1.

[114] L. Ginzberg, *Legends,* 3.161 and note.

[115] 8, ed. Friedmann 29b.

[116] Zech 4:2.f.

[117] 1:12ff.

[118] In coemeterii appellationem, middle (ed. Montfaucon (Venice, 1734), 2.400E).

[119] Either alone or united with the true Israel or with the individual saint. With God "on the head" of the menorah, as part of it (Pesiq. R. 8, cited above), cf. Christ as head of the Church (Eph 1:22; 4:15; 5:23; Col 1:18); with God as (or, on) the head of the individual saint, cf. 1 Cor 2:3. Here we have the same metaphor used in the same way—now for the collective relationship, again for the individual one. A particularly lucid and well-documented discussion of the Pauline concept is that by P. Benoit, "Corps, Tête et Plerôme," RB, 63 (1956), 5ff., though I cannot agree with B.'s sharp distinction between the notion of Christ as ruler and the notion of him as physically united with the beings ruled.

[120] Timaeus 37b-c.

[121] 2 Cor 3:18.

standing beside it. Why? Because in the vision of Zechariah the menorah is the Lord and the olive trees are the just. In that case, why did not R. Simon compare the just to the olive trees? This so much troubled some copyists that the versions of the saying in Pesiqta de R. Kahana[122] and Wayyiqra Rabba[123] dropped the reference to the olive trees and substituted the verse about the menorah. But this is clearly wrong, because, had the reference to the menorah stood there to begin with, nobody would have substituted a reference to olive trees. Another copyist, in Midrash Tehillim,[124] dropped both menorah and olive trees and went back to Nahum, where the chariots are [503] compared to torches as well as to lightnings; he used the torches for his final comparison. But this, too, is certainly wrong, because all the other versions of the saying are against it and because, had the original saying used both comparisons from Nahum, it would certainly have used them together and not have inserted the lilies of Ps 45 between them.[125]

(However, this substitution made by the editor of Midrash Tehillim is instructive. It shows he was surprised by the fact that the torches of Nahum were not used. We should be, too. Certainly torches would have served better in a list of luminous objects than would lilies, and there was an independent tradition which compared their brilliance to that of the sanctified.[126] Therefore the fact that the lilies were kept and the torches of Nahum sacrificed confirms our previous suspicion that the comparison of the righteous dead to lilies was already standard and obligatory for the compiler of the list.)

But this does not solve the problem stated above: Why does the list compare the just to the menorah, but quote as proof the reference to the olive trees standing beside it? The answer is, I think, that our saying was originally part of an interpretation of Ps 16:11,[127] translated as follows: "There are seven joys before thy face, (but) the supremacy (goes to) the pleasures at thy right hand."[128] Our saying interpreted the first half of the verse; it identified the seven joys with seven classes of the righteous[129] which it compared to (1) sun, (2) moon, (3) heaven, (4) stars, [504] (5) lightnings, (6) lilies and (7) olive trees. It was followed[130] by a comment on the second half of the verse. This comment inquired which class of the righteous ranked highest. It recalled Zechariah's statement[131] that the olive trees were on both the right hand and on the left hand of the menorah, which symbolized God, and it understood the second half of the verse ("but the supremacy goes to the pleasures at thy right hand") as declaring that those olive trees on the right of the menorah ranked highest.

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[122] 28, ed. Buber, 179b.

[123] 30.2.

[124] 11.6, ed. Buber, 51a.

[125] Similarly, the insertion of the lightnings of Nahum between the heaven and the stars of Daniel, in Pesiq. d.R.K. 28 and Midrash Tannaïm p. 6, is a sure sign of corruption.

[126] When the High Priest, entering the Holy of Holies, was possessed by the Holy Ghost, "his face shone like torches" and he became if not a god at least more than man (Way. R. 21, end; cf. Philo, *Quis rerum,* 84; *Somn.* 2.189). A similar change took place in Phineas' face when he was possessed by the Holy Ghost; he was therefore described as an angel, Way.R. 1.1. Both Seth and Moses are said to have been called 'God' because their faces shone, M. James *The Lost Apocrypha of the OT* (London, 1920), p. 9. Cf. the transfiguration, Mark 9:2ff.

[127] This appears from the versions in Pesiq. d.R.K., Way. R., and Midrash Tehillim, all cited above, n. 100.

[128] The interpreters read *soba'* as *sheba'*.

Thus the menorah originally appeared as a symbol of God, in the explanation of the second half of the verse. Later it was transferred to the explanation of the first half, where it replaced the olive trees as the final term.[132] Why? Partly because it was a source of light and most of the items in the list above were luminaries. Notice that in its original form the list fell clearly into two parts, a first section (classes 1-5) in which the saints are compared to luminaries, a second (classes 6 and 7) in which they are compared to vegetation. The equation of life with light was on the increase in the Roman world[133] and the influence of this primarily pagan development upon Jewish thought is shown by the substitution of the menorah for the olive trees. The astral symbolism certainly dates back to Daniel,[134] but the vegetable symbolism is probably older, for had it not been pre-established it would not have been included in this list, which could easily [505] have contained two more classes of luminaries. Moreover, the vegetable symbols originally outranked the astral, as proved by the original form of the saying and the following comment, which gave highest rank not to the sun, but to the olive trees. This conclusion, by the way, goes to support Goodenough's contention that the representations of lilies and olive sprigs, especially on the ossuaries of the period prior to 70, may be symbolic.[135]

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[129] As remarked above, n. 100, this interpretation has been imposed on the older interpretation in 4 Ezra 7:91ff. which originally listed seven joys.

[130] As it still is in Pesiq. d.R.K. and Way. R. and—after one brief section—in Midrash Tehillim. The section in Midrash Tehillim is another list of seven classes of the righteous. That it was originally independent is indicated by the fact that it was prefixed to our list in Sifre D.10 (and Midrash Tannaïm, p. 6), postfixed in Midrash Tehillim.

[131] 4:3.

[132] However, the original reading was preserved in two versions of the saying (Sifre Deb. 47 and Midrash Tannaïm, p. 40), the proof text for it in two more versions (Sifre Deb. 10 and Midrash Tannaïm, p. 6), and evidence of the corruption in the manifestly late emendations of the other texts.

[133] See the note on astral immortality, n. 101. Examples of the equation appear in the Dead Sea documents ("Children of Light") and the Gospel of John *(passim)* as well as in Lucian's city of lights (i.e. souls, Vera Hist. 1.29) and in the growing pagan cult of the sun, of which the influence is reflected in Christianity (Dölger, *Sol Salutis, Die Sonne der Gerechtigkeit, Lumen Christi),* in the magical amulets and papyri, and in the synagogue mosaics.

[134] 12.3. An ingenious argument for astrological influence on Daniel is advanced by S. Weinstock, "The Geographical Catalogue in Acts 2.9-11," *JRS* 38 (1948), 43 ff.

Further, the menorah also replaced the olive trees as the supreme term of the series of comparisons because, as shown above, it was the image of God. Now while man was at all times the image of God, he had been so most truly before the fall, and the perfection of the divine image, which he lost then, was to be restored in the world to come.[136] The supreme destiny of the righteous, therefore, is to become perfectly the image of God, and the influence of this belief on the development of our text is shown by the substitution of the image of God—the menorah—for that of the saint—the olive tree.

This substitution is not found only in the passage discussed. On the contrary, there are many instances of interchange or confusion of the two symbols. To understand these better we must examine at more length the meaning of the tree.

The comparison of a man to a tree and of a just man to a fruitful tree is, of course, an Old Testament commonplace,[137] and is continued by rabbinic literature as a description of living men.[138] At the same time, the material quoted above has shown that the rabbis transferred the comparison to the righteous in the world to come, and analogies for this transfer can easily be found: [506] The saved man is compared to a tree in the Odes of Solomon,[139] and the magician who has invoked Adonai Sabaoth identifies himself, among other things, with the sacred tree.[140]

Perhaps it was this transference which led to the identification of the tree as the tree of life. A trace of this identification may already appear in the LXX version of Ps 1:3, which reads, not, "He shall be like a tree planted by rivers of water," but, "He shall be like *the* tree planted by *the* dividing courses of the waters." No doubt it saw in the rivers of water a reference to the rivers of Paradise. The Targum to the same verse puts the matter beyond doubt; it renders, "He shall be like the tree of life." Similarly, the Jerusalem Talmud comments on the verse, "As for the tree of life ... all the waters of creation go forth in diverse courses from beneath it,"[141] and Midrash Tehillim also interprets the verse by reference to the tree of life.[142] Explicit identification goes back at least to the Psalms of Solomon, which declare "The paradise of the Lord are the trees of life, which are his saints."[143] This statement explains why, in the mosaic of Beth Alpha, the heaven from which the hand of God emerges is planted with a row of trees.[144] The same idea explains the statement in Enoch that the trees of paradise eat the fruit of the tree of wisdom.[145] It appears also in Christian and magical works,[146] and may therefore be taken as common to the various sects of ancient Judaism. Now the tree of life is frequently identified by apocryphal, pseudepigraphic, Christian and gnostic works with the olive tree.[147] This identification, so far as I know, does not appear in the preserved rabbinic material, but R. Simon b. Johai's identification of the final class of saints with olive trees, [507] and the midrashic identification of the typical saint with the tree of life, make it probable that the identification of the tree of life with the olive tree was once accepted by rabbinic, as well as by other, Jews.[148]

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[135] The symbolism persisted, of course, after the destruction of the Temple. When Aher entered paradise "he cut down the plants," i.e. used the spiritual power acquired by his mystical experience to lead good Jews into heresy (T. Hag. 2.3, ed. Zuckermandel, p. 234). As to the date of origin, the comparison of lilies to saints in the future life was perhaps unknown to the LXX translator of Ps 45:1 since he rendered it as *Eis to telos, hyper ton alloiothesomenon* (reading *sheshshonim* and understanding it as Paul did in 1 Cor 15:52: "We shall all be changed"). This looks like a stage prior to the appearance of the symbolism and may have had something to do with it.

[136] See p. 477 sq. Further, Ginzberg, *Legends,* v. 112-14 and the passages cited there.

[137] Ps 1:3; 52:10 (olive); 92:13 (palm and cedar) ; 128:3 (vine and olive); etc.

[138] E.g. Ta'anit 5b, 6a.

[139] 38:16f. etc. See especially 11:19ff. where becoming like the trees of paradise is becoming like God.

[140] *PGM,* 2.73 (12.227); this is an invocation of Adonai Sabaoth, to prepare an amulet on which are to be engraved the words *Iao Sabaoth Abrasax,* ibid. 76.

It is upon the tree of life that God rests when he comes to the Garden of Eden—on this rabbinic, pseudepigraphic, Christian and magical texts agree.[149] This legend, plus the fact that the tree of life is the symbol of the saint, enables us to understand the cryptic saying of Resh Laqish, "The patriarchs, they are the throne of God."[150] We should not expect this doctrine to be developed in the preserved rabbinic material, since the teaching about the throne of God is specified as that to be kept most secret of all,[151] and quite possibly was not committed to writing.[152] [508] However, the saying has an almost exact parallel in the common Christian expression, *theophoroi pateres,* of which the active and passive senses are not to be separated. Because the saint is inspired, possessed by God, he also bears God within himself, as is declared by the Latin *Deiferi apostoli*[153] and by the figures we have seen above bearing the menorah—the image of God—on their heads.

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[141] Ber 1.1 (2c).

[142] 1.19.

[143] 14.3. [cf. Epistle to Diognetus 12.1, and Hippolytus, *Refutatio* 5.26.6 (Justin the gnostic).]

[144] Goodenough, 3, no. 638.

[145] Enoch 32.3. Thus all the manuscripts. Therefore Beer is mistaken, in Kautzsch's ed., in supplying "the holy" as a separate subject; Charles and Kahana rightly translate the text as is.

[146] Kropp, AKZ, ii.116 (no. 34), "It is Jesus Christ who gives healing to N.N. that he renew his whole body after the fashion of the tree of life which is in the midst of paradise."

[147] Ginzberg, *Legends,* v. 119, n. 113.

[148] Its disappearance from the preserved texts can hardly be accidental, since the rabbis are free in identifying or comparing the tree of knowledge with the rest of the trees important in the economic life of Palestine (Ginzberg *Legends,* v. 97, n. 70). I suspect the deletion reflects dislike of the magical and religious use of oil, which played so large a part in Christian ceremonies and was justified, *inter alia,* by the legend that the olive tree had been the original tree of life; see the passages cited by Ginzberg in my preceding note and the fact remarked by H. Willoughby ("The Distinctive Sources of Palestinian Pilgrimage Iconography," *JBL,* 74 (1955), 62) that the most frequent inscription on ampullae from the first Christian pilgrimage period (300-600) is, "Oil of the tree of life from the holy places of Christ." [Another consideration may have been the fact that it would be difficult to make adequately concealing garments from olive leaves.]

But since the saint (the perfect man) is the image of God, and the cosmos (which is also perfect)[154] is the image of God, we found the menorah, being the image of God, was also the image both of the saint and of the cosmos. Therefore we should expect the tree, being the image of the saint, to be equated with the menorah, at least when the latter represents the saint, and possibly when it is used with its other meanings. Equation as representations of the saint[155] is exactly what we found indicated above by the substitution of the menorah for the olive tree in the conclusion of Sifre Debarim 10.[156] It appears also in the Targum to Hosea 14:7. The Hebrew describes the blessed state of Israel in the time to come with the words, "His beauty shall be like the olive tree"; the Targum reads, "Their splendour shall be like the holy menorah." The two prophets in the Apocalypse[157] "are the two olive trees" (of Zechariah 4:3, which we have seen above) "and the two menorahs which stand before the Lord of the whole earth." (Since there was only one menorah in the Temple, it is plausible to find the source of *the two* menorahs in contemporary [509] synagogue usage, which, if reflected by the archaeological evidence, often had two menorahs, one on either side of the Torah shrine.)[158]

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[149] Seder Gan 'Eden, Text B (A. Jellinek, *Bet hammidrash,* 3.138); Apoc. of Moses 22.4; 2 Enoch 8.3 (Charles) = 5.3 (Kahana). Kahana quotes a parallel from the Greek version of the Apocalypse of Paul, not accessible to me (ed. Tischendorf, p. 64). Kropp, AKZ, ii.149f. (no. 43) parallel ii.104 (no. 32). From the context of the former, Davithea, who is represented as lying on the tree, is evidently a form of Sabaoth and Jesus.

[150] Bereshit Rabbah, 17.6 (475); 69.3 (793); cf. 68.12 (786 f.). For other Jewish sayings which express the notion of the saint or scholar as theophoric, see Tanh. Wayyaqhel 7 (Students of the Law are like the Ark of the Covenant, because like it they contain God), and Tanh. ed. Buber, Wayyishlah 84a: "R. Huna said, 'If a man be corrupted by a transgression, destructive angels at once attack him.... What should a man do? Let him busy himself with the Law and he will be safe. And if he does not know how to repeat (by heart), let him read; and if he does not know how to read, let him take hold of (a book of) the Law and he will live, for it is said, (The Law is) "a tree of life to those who lay hold of it." So that if he is not a student of the Law he should lay hold of the book or of the professional repeater (of the oral Law), for they teach the Law, and (by so doing) he merits life.'"

[151] Hagigah 2.1 and parallels.

[152] Cf. Clement of Alexandria, Strom. 1.1.13-14 etc.

[153] Du Cange, *Glossarium ad scriptores mediae et inf. graecitatis, ad voc. theophoros.*

[154] Plato, *Timaeus,* 36 ff.

[155] The equation does not seem to have been carried through to the extent of making the olive tree also the image of God, *except* when He is united with the saint. So far as I can recall this identification is absent from *all* the literatures considered (including the magical papyri of Jewish character). This fact is particularly surprising in view of the widespread tradition of tree worship both in the Semitic background (the asherah) and in contemporary Greco-Roman paganism (e.g. Apuleius, Florida 1). While the absence may be due to accident or to deletion, it does suggest that the Jewish tradition had some consistency throughout its various branches and was not wholly indiscriminate in its appropriations from the Greco-Roman world.

This equation of the tree (image of the saint) with the menorah (image of God)[159] extends even to their graphic representation. When sufficiently conventionalized the two are indistinguishable and there are many drawings which may represent either one.[160] Often when the menorah can be distinguished it is only by the presence of the ethrog and lulab at its base.[161] But it is just this combination with ethrog and lulab which identifies with the menorah three undoubtable trees on amulets published by Goodenough.[162] One of these menorah-trees[163] has a snake coiled around it, further identifying it as the tree of paradise[164] which, as we saw above, was itself identified with the saint as the throne of God. This identification is here confirmed, for each of these trees is represented as a throne for a deity who sits on it. The deity is identified by the inscription of each of the amulets as Iao or Iao Sabaoth—but iconographically he is, in each instance, Harpocrates, one of the forms of the sun god who was becoming the great deity of the later Roman Empire.[165] These amulets [510] are certainly related in content to the magical spells representing Davithea-Sabaoth-Jesus as "lying on the bed of the tree of life."[166] Kropp, in his commentary on these spells, *ad loc.*, identified this bed as the zodiac, and if that be taken as the sphere of the fixed stars, the outmost sphere of the cosmos, this identification is probably correct, since we have seen that the menorah was taken to represent the cosmos, especially the planetary spheres, and Iamblichus says that the lotus on which Harpocrates was customarily enthroned (and which is here identified with the menorah-tree of life) was understood to represent the celestial spheres.[167] In sum, the tree of life, *qua* image of the theophoric saint, the microcosm, has been made also the image of the macrocosm, the physical cosmos which likewise bears that God of whom the heavens are the throne.[168]

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[156] Finkelstein, in his note on Sifre Deb. 10 (p. 18 of his edn.), recognized the equivalence of the olive tree and the menorah from their usage as equivalents in that passage and its parallels.

[157] 11:4.

[158] Goodenough, 3.58-61, 440, 639, 646, 706, 707, 817, 964-6, 973, 974.

[159] This coalescence of the two symbols appears already in the Assyrian period: S. Cook, *The Religion of Ancient Palestine* (London, 1930) (Schweich Lectures, 1925), p. 63f.

[160] Goodenough 3.99 (the drawing on the right), 262, 315, 332, 342 502, 765, 770, etc.

[161] Id. 3.582, 719, 730, 805, etc.

[162] Id. 3.1149, 1150, 1153; cf. 1103 (a lotus pod) and 1102.

[163] No. 1153.

[164] This identification evidently persisted or recurred in Judaism. An eighteenth or early nineteenth century Polish menorah of which the lamps are carried by a tree of life, complete with snake, is published by Judah Goldin in *These Lights, You and Judaism,* iv (1956), no. 2. The modern object should serve as a warning against any hasty supposition that the ancient ones could not have been produced by 'orthodox' Jews.

[165] This leads us, of course, directly to the representations of the sun in the later Palestinian synagogue floors—a subject of such complexity as to require another article. As a result of Goodenough's work it is now apparent that the synagogue floors, the magical gems and the papyri, the Palestinian Amoraic literature, the Christian pseudepigrapha and the Christian patristic literature of Egypt Palestine and Syria all

This development of the significance of the tree was undoubtedly helped by identification with the menorah, and this identification probably explains the otherwise unlikely representation of the menorah as a headdress. We saw above that this symbolized the theophoric nature of the saints, but how did so unnatural a symbol arise? The origin, I think, is to be found in the wreath. Wreaths were commonly worn in the classical world on joyous occasions and were given to the winners in the games as symbols of victory. Jews wore them in their festivals—joyous occasions of which the joy was interpreted as anticipation of their coming, eschatological victory.[169] Both as victorious in the contest of life and as joyous, the blessed were represented as wreathed, [511] and the wreath came to be one of the symbols of salvation. The Odes of Solomon entreat the hearer to "make a crown of the tree of life and put it on your head."[170] But the

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come from the same period and the same area of the same world, and from closely related groups of that world; they use the same language and they must be interpreted together.

[166] Kropp, *AKZ*, ii. 104, cf. 107 (no. 32) and 149f. (no. 43) and Goodenough's discussion of these (2.166ff.). I agree with Goodenough in thinking these charms basically Jewish.

[167] *De mysteriis*, 7.2.

[168] Is 66:1. The cosmos is equated with the throne of God in Debarim Rabbah, ed. Lieberman, pp. 95-6. The sun-god on the lotus appears already on Hebrew seals of the Persian or Hellenistic periods, S. Cook, *The Religion of Ancient Palestine*, p. 58 and n. 1.

[169] Jubilees 16:30 prescribes the wearing of wreaths for the feast of Tabernacles. The bearers of the ark in the representation of that feast in the frescoes at Dura and the children accompanying them, are wreathed, C. Kraeling, *The Synagogue* (New Haven, 1956) *(The Excavations at Dura*, VIII.1) pp. 114-17. Kraeling ibid. gives reference for the eschatological interpretation of the feast. Classic of course, is the interpretation of the Sabbath as the type of the world to come, Tamid, end, cf. Hebrews 4:3-11.

[170] 20:7f.; cf. 2 Tim 2:5; 4:8; James 1:12; Apoc 2:10, etc. The notion is also common in rabbinic literature, v. Ginzberg, *Legends*, 1.19, 57; 2. 196; 3.92, 205, etc. Note that the Greek word generally translated "crown" means properly "wreath."

crown of salvation was unwithering,[171] it was a living crown,[172] for the joy it symbolized, the divine life, did not merely rest upon the blessed but was rooted in them[173] so that they were crowned with a living tree of life. The first of the Odes of Solomon shows this development clearly: "The Lord is upon my head like a crown[174]; and I shall not be without him. The crown of truth was woven for me; and it causeth thy branches to bud in me. For it is not like a withered crown that buddeth not, but thou livest upon my head and thou hast blossomed upon my head. Thy fruits are full-grown and perfect; they are full of thy salvation."[175] Compare the curious growth on the head of the figure in Papyri Osloenses I,[176] and the charm in which the Old Testament god who controls Helios is conjured by "him who sits in a fiery robe on the seedfield head of Agathos Daimon, the pantokrator and four-faced highest daimon."[177] Since Agathos Daimon in this material is regularly the cosmos[178] we have here the supreme fiery[179] deity seated on the circle of the world.[180] The growth on the head has been reduced almost to insignificance and we are well along the [512] road which was traveled, not only by Judaism and its various offshoots, but by the Greco-Roman world in general, from the divine man to the wholly transcendental deity: from the good shepherd of the early Christian catacombs to the Christ Pantocrator of the Byzantine mosaic ceilings, from the cult of heroes and rulers to Julian's satire on the Emperors and the worship of the invincible sun, from the man crowned with the menorah in Beth Shearim to the fiery and unapproachable God of the Hekalot.

The metaphor of travel, here, is carefully chosen. Just as both ends of a road exist throughout the whole time of the journey, so in a large and complex society all sorts of attitudes towards all sorts of gods are always represented by some individuals; it is only the centre of attention, the greater interest of the greater number, which shifts from one concept to another. The point to be noticed here is that this shift in ancient Judaism seems to have been of a piece with the general religious development of the ancient world.

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[171] 1 Cor 9:25; 1 Pet 5:4; Ephraim, Hymn for the Epiphany, quoted by R. Harris and A. Mingana in their edn. of *The Odes of Solomon* (Manchester 1920), ii.213f.

[172] *Odes of Solomon,* 17.1.

[173] Cf. Philo, *Ebrietate,* pp. 222-4, the vices and virtues are trees rooted in the soul of man.

[174] Cf. Clement of Alex., *Paed,* ii.8.63.4: The Kings of the Jews used an elaborate crown composed of gold and precious stones, but the Christians symbolically wear Christ upon their heads.

[175] Tr. Harris and Mingana, 2.207.

[176] Ed. S. Eitrem (Oslo, 1925), p. 20, discussed above, n. 110.

[177] *PGM,* ii.132 (14a).

[178] *PGM,* ii.146, cf. 122, 74, etc.

[179] So Sifre Deb. 49. The notion goes back to Deut 4:24, quoted in Heb 12:29.

[180] Isaiah 40:22. In this charm the cosmos is described by equation of Agathos Daimon, *pantokrator* (a common title of the sun god), the divine throne as seen by Ezekiel, and *hypsistos.* On the Jewish associations of *hypsistos* and *pantokrator* see M. Nilsson, *Gesch. d. gr. Religion* (Munich, 1941-50), 2:636ff.

To return to the menorah and the tree, and summarize the specific development which this last body of evidence suggests: The wreath of divine life which rewarded the saint took root in him and became a tree of life springing from him. But the tree of life was identified with the menorah and in Jewish circles the menorah came to replace it (as we have seen above in the case of Sifre Debarim 10) partly because of the increasing popularity of light-symbolism, but also in part because heterodox circles like those which produced the Odes of Solomon and the magical amulets seem to have been very fond of the tree of life and actually to have replaced the menorah by it. The replacement of it by the menorah may be a sign of orthodox reaction. At all events, the menorah did replace the tree of life, in some instances, as a most unlikely headdress, but an acceptable symbol of that divinity which may rest on man and which is already imaged in his nature. The notion thus expressed of the relationship between man and God is of immense antiquity and common to many cultures, but its revival in ancient Judaism was probably due, in large part, to the influence of the contemporary Greco-Roman world.

CHAPTER ELEVEN

ON THE SHAPE OF GOD AND THE HUMANITY OF GENTILES

[315] In an article, "The Image of God: Notes on the Hellenization of Judaism, with especial reference to Goodenough's work on Jewish symbols," printed in 1958 in the *Bulletin of the John Rylands Library,*[1] I presented evidence which seemed to me to show that, on the one hand, passages in rabbinic literature justified Goodenough's interpretation of a number of symbols, notably those of the menorah and the tree, as, at least occasionally, images of God, on the other hand, these and similar passages cast grave doubt on his account of "the rabbis" as out of touch with Hellenistic culture and hostile to the religion of the majority of Greco-Roman Jews, the religion expressed by the pictures on the archaeological material.

In 1960 appeared J. Jervell's *Imago Dei: Gen.* 1.26*f. im Spätjudentum, in der Gnosis und in den paulinishen Briefen,*[2] which included (pp. 71-121) an extended study of the rabbinic notions as to the image of God in man. Jervell had evidently not seen my paper (which must have come out shortly before or after his book went to the publisher). In any event, the results of his study not only differed from, but in some points contradicted, those which I had reached. The differences resulted in part from a difference of purpose: Jervell's concern was to survey the whole of rabbinic teaching on the subject; mine, to point out one important but neglected strand of it. These differences need not concern us further. The contradictions, however, deserve discussion, and I think it appropriate to discuss them here, not only because my former paper dealt with Goodenough's work, but also because the questions involved—the range of rabbinic opinions concerning the human body's likeness to God, and therefore concerning [316] gentiles—are fundamental for study of one of the great problems Goodenough's work has raised, that of the relationship between the material which he collected and the rabbinic literature. To have raised such problems was among Goodenough's most important accomplishments; the study of them henceforth should be seen as a continuing tribute to his memory.

Let me begin this study by summarizing the results of Jervell's survey. He distinguishes what he thinks the public, "official" teaching from the discussions of the rabbinic schools. The public teaching, he finds, was primarily concerned to maintain that God alone created man, that man was not created in the image of God, and that man was not created androgynous (p. 119). The school discussions, on the other hand, were concerned to explain the statement, that man was created in the image of God, so as to make it useful either for ethical teaching or for pseudo-historical glorification of Israel and the Law. For these purposes they started from common suppositions: The Law was the motive and means of creation. Israel was created to observe the Law. So was Adam. Adam before his fall was therefore the prime and perfect Israelite; the creation of man was the creation of Israel. Consequently the non-Israelite is not a man. Consequently, in rabbinic school discussions, the term "man," when used without further specification, means "Israelite," and only Israelites have any likeness to God (pp. 78-84).

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[1] See chapter ten above.

[2] Göttingen, Vandenhoeck and Ruprecht, 1960 *(Forschungen zur Religion und Literatur des Alten und Neuen Testaments,* N. F. 58).

Starting from these presuppositions, two interpretations of Gen 1:26f. developed. One was "ethical-anthropological": It maintained that man was created in the likeness of the angels, whom the Old Testament sometimes calls "gods"; he was like the angels in possessing *da'ath,* standing erect and speaking Hebrew, but not in body.[3] *Da'ath,* his most important likeness to the angels, is essentially the power both to distinguish and to choose between good and evil; but only those who choose good retain it(?); at any rate, true likeness to "God," *sc.* to the angels, is possessed only by righteous Israelites. Other men are like animals except for upright stature and economic life. Consequently, all obligations towards "men" *qua* images of "God" are obligations only towards Israelites (pp. 84-96). The other interpretation was "speculative-protological": It admitted that Adam was created in the image of God, declared him greater than the angels, but found his likeness to God essentially in his *kabod* which was above all *"eine mora*[317]*lische Grösse," i.e.* it consisted in his being a Law-abiding Israelite. This was lost at the fall, so all men are Adam's descendants, but only the Israelites are in his image, since they only can possess the *kabod* which, with the Law, was given Israel at Sinai (pp. 96-119).

It must be said at once that this summary is necessarily somewhat unfair, since one cannot summarize without suppressing the author's recognition and discussion of material which he thinks divergent from the main pattern. Jervell several times recognizes the danger of systematization, but, in the end, he produces a system, and one which is itself, like the above, a summary, and shares the same necessary weakness. At all events, we are concerned here with only two points in his summary, the propositions that man's likeness to God is not a matter of bodily form, and that in rabbinic usage *'adam* ("man") means "an Israelite." "Cattle and heathen are not אדם." *(sic,* p. 82.)

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[3] How it is possible to be alike in upright stature without having some bodily likeness, Jervell does not explain. Cp. his statements on pp. 86 and 90.

First as to bodily form: For his conclusion on this point—that man's bodily form is not thought an element of his likeness to God—Jervell argues (pp. 88ff.) that Adam was thought to possess knowledge of good and evil before the fall when he was "as One," *i.e.* as God, Targum Jonathan on Gen 3:22. (But here the likeness is said to be, not knowledge of good and evil, but uniqueness.) From Adam will arise a people able to distinguish between good and evil, *ib.* (But this is merely a forced exegesis of ממנו לדעת טוב ורע; its purpose is to avoid the plain sense of *mimmenu* and it has nothing to do with the question of the nature of Adam's likeness to God.) Further, when Adam is justified at the end he will be as God, Gen. Rabbah 21.2 (read 21.1. This likeness will result from justification, but what it will consist of is not stated.) That he "was as one of us" is explained by his having been created in God's image, Num. Rabbah 16.24 (16.15 in my edition. But here the likeness is said to have been immortality.) "See also" Eccles. Rabbati on 7.29 (here the likeness is righteousness) and Cant. Rabbah on 1.9. (This last is one of a set of texts collected by Theodor in his notes on Gen. Rabbah 21.5. They include the Mekilta passage which Jervell cites as "Beschalla—*sic*—7,73ff" meaning, ed. Lauterbach, p. 248, lines 73ff., and further parallels which he does not cite. The tangle offers only one explanation of Adam's likeness to God—his uniqueness.) Further Jervell cites Abot 3.14, where Akiba says Adam (or, "man?") was created in the image of God, but gives no indication of what he thought this meant; knowledge of the Law can hardly be intended, since the same saying declares *that* a greater blessing given to Israel. (Against Jervell's attempt to limit the reference of the entire saying [318] to Israelites, see Tosafot Yom Tob, *ad loc,* which argues at length for reference of the first half to all children of Noah.) Next comes Deut Rabbah 4.4 and, as parallels to it, Midrash Pss. 17.8 and 50.3 (a false reference.) Deut Rabbah 4.4 says that an angelic escort precedes the righteous man and proclaims, "Make way for the image of God," and Jervell takes this as proof that the image exists *only* in the righteous. *Non sequitur.* Finally he concludes, p. 90, that "The passages cited above indicate that the human body has no likeness to God." This is false. Some of the passages indicate some respects in which man is or may be like God, but none discusses at all the question of bodily likeness, and there is no justification for an argument from silence about a matter with which they are not concerned.

To strengthen this argument Jervell now cites Sipre Deut 306, ed. Friedmann 132a, where it is said that man's soul is heavenly, but his body earthly; therefore if he obeys the Law he will be, like the heavenly creatures, immortal, "for it is written, 'I said, "You are gods, and all of you sons of the Most High;"'" if not, he will be like the earthly creatures, "for it is written, 'None the less, you shall die like men.'" This concerns the substance of man and is irrelevant to the question of similarity of *form,* which is the normal relationship of an image to its original. The same is true of the cognate passages Jervell cites in this connection: Tanhuma, ed. Buber, *Bereshit* 15, and Pirqe R. Eliezer 11. Pesiqta Rabbati 21, ed. Friedmann "108b" (read a-b), which he also cites, does not say as he supposes that "only ... the soul has been created in God's image," but that the soul was created in God's likeness (דמות) and the body was joined to it and made like God's image (צלם); it thus expounds the two words as referring, one to the soul, the other to the body, and is explicit evidence that some rabbis thought man was *bodily* like the image of God.

Other evidence for the same opinion is plentiful. It was discussed at length by A. Marmorstein, *The Old Rabbinic Doctrine of God, II, Essays in Anthropomorphism,*[4] who advanced the thesis that in Palestinian Judaism there were two schools of thought, one which took the anthropomorphisms of the Bible literally, another which allegorized them. Though many of the particular applications which he made of this theory remain dubious, he gave strong evidence for his main contention, "that there was a school in Judaism, and an important one, too, that believed in a God who accompanies man in human form and shape" (p. 52). To this Jervell, though citing the work in other connections, [319] did not refer. Marmorstein also fully documented the anti-anthropomorphic side of Jewish tradition, which is, of course, familiar. His thesis has now been greatly strengthened by G. Scholem's demonstration, in *Jewish Gnosticism, Merkabah Mysticism, and Talmudic Tradition* (2 ed., N.Y., 1965, pp. 36ff.) that the so called *Shi‘ur Qomah* speculation, which concerns the dimensions of the various parts of God's anthropomorphic body, goes back, as an important secret doctrine within rabbinic circles, at least to the second century A.D. and probably beyond.

In this connection a number of the passages which I cited in *The Image of God* would, at first sight, seem conclusive. So, for instance, Lev. Rabbah 34.3, which reports that once, when Hillel was about to leave his disciples, they said to him, "'Rabbi, where are you going?' He said to them, 'To perform a commandment.' They said to him, 'And what, then, is this commandment?' ... He said to them, 'To bathe in the (public) bath.' They said to him, 'And is this a commandment?' He said to them, 'Yes. If the man who is appointed to take care of the images of kings, which (the gentiles) set up in their theaters and circuses, scours them and rinses them, and they provide his livelihood, and not only that, but he occupies an important place among government officials; then we, who were created in the image and in the likeness (of God) ... *a fortiori.*"' Substantially the same story appears in Abot de R. Nathan, text B, ch. 30 (ed. Schechter, 33b), as a comment on the words, "And let all thy acts be for the sake of Heaven," *(i.e.* of God). It should be noticed, by the way, that the failure to specify *whose* image and likeness, can hardly be thought significant as an avoidance of anthropomorphism *(contra* Jervell, p. 85). This is a standard form of reference to a text everybody knew by heart, the omission of "God's" is merely a scribal abbreviation. This is particularly clear from the fact that often, when the abbreviation is used, a proof text, commonly Gen 9:6, with "God's" written out in full, immediately follows. So it does, for instance, in the passage just cited.

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[4] Oxford, *1937 (Jews' College Publications,* 14*).*

This passage, as remarked above, would at first sight seem conclusive. If Hillel expected reward for washing the image of God, and considered that man's likeness to God made bathing a religious obligation, one would suppose there would be little doubt as to where he thought the likeness lay. He was not going to wash his observance of the Law. But a theologian might argue that the body was reverenced only as the instrument for the observance. Jervell presumably had some similar argument in mind when he cited, p. 81, from Abot de Rabbi Nathan [320] "2" (read, text A, 2) the statement that Adam must have been born circumcised because it is said that God created Adam in his image. (Jervell's citation contains six mistakes in ten words of Hebrew.) The naive reader might suppose this indicated belief in a circumcised deity, but Jervell glosses the statement, "Das heisst, dass er צדיק und חמים (*sic*) war." Circumcision is merely the symbol of legal observance; since the deity is the cause of the Law, the circumcised man resembles Him as effect resembles cause. But rabbinic texts contain very few philosophic arguments of this sort, and a great many anthropomorphisms. Therefore (though I should insist that many rabbis had some acquaintance with philosophy, *cf. Image of God,* pp. 474f.) I think it more plausible to suppose that the anthropomorphisms indicate their usual way of thought, and that philosophical arguments are not to be read into rabbinic texts without good reason.

In this instance, moreover, there is good reason for supposing anthropomorphism: Midrash Tannaïm on Deut 21:23 (ed. Hoffmann, p. 132) explains the commandment that the *dead* body of an executed criminal is not to be left hanging on a tree over night, "'because a hanged man is an insult to God.' Rabbi Me'ir said, ... '(It is like) two brothers who were identical twins and lived in the same city. One was made king, and the other became a bandit. The king commanded (that the bandit be hung up after execution) so they strung him up. Everyone who saw (the dead body) said, "The king has been hung up." So the king commanded and they took him down.'" It seems that the similarity supposed here was not the executed criminal's obedience to the Law, nor his dead body's capacity to obey it, but the sheer similarity of external, physical form. R. Me'ir's exegesis was taken over, with his name, into the legal collections, Tosefta San. 9.7 (Zuckermandel 429); San. 46b.

It seems, then, that the Biblical statements concerning man's likeness to God were interpreted in many different ways which were not thought to be mutually exclusive, and that among the interpretations was the opinion, held by some very important rabbis, that man's body was made as an image of God. From this opinion it follows that all men are images of God in one respect at least, since all possess essentially the same bodily form. This conclusion might be taken as a refutation of Jervell's claim that only Israelites were thought to be images of God, and the term "man" referred only to them. On the other hand, Jervell would argue that this claim, which he had established with other evidence, refuted our conclusion. We must therefore examine his evidence. [321]

First, however, it must be admitted that the normal usage of *'adam* ("man") in rabbinic material is determined by the contexts in which it occurs. These are mostly legal, and since the Law was accepted only by Israel most of its provisions concern Israelites alone. Thus when the Mishnah says that the sages ruled the *shema'* must be read before midnight "in order to keep a man far from transgression," (Berakot 1.1) or that the school of Shammai says, "in the evening all men should recline when they read it," *(ib.* 1.3) the reference is of course to Israelites only. But it would be absurd to take such passages as evidence that the rabbis always used "man" in this restricted sense or thought those who did not read the *shema'* were not human.

Such an interpretation would, moreover, be indefensible, because there are many passages in rabbinic literature where *'adam* and *bene 'adam* ("children of men," *i.e.* men) are used to refer to all human beings. For instance, Baba Qama 38a, in a dispute as to whether or not gentiles are rewarded for observance of the Noachite laws, reports, "Rabbi Me'ir says, 'Whence (do we know) that even a gentile who works at the Law is as a high priest? (Because) the Bible says that "if a man will practice (my laws and my judgments) he will live, as a result of them." (Lev 18:5). It is not said, "If priests, Levites and Israelites (will practice them)," but "If a man." Hence you must conclude that even a gentile who works at the Law is as a high priest." This is repeated in Sanhedrin 59a with the added explanation that "a gentile who works at the Law" is one who observes perfectly the Noachite commandments, and also in ʻAbodah Zarah 3a with the explanation that gentiles who perform these commandments are not rewarded as performing commandments (since God long ago withdrew the Noachite commandments because of the gentiles' general failure to perform) but as persons who do good deeds without being commanded. (So their performance is *not* observance of the Law; they are wholly outside the Law.) A third repetition in Sipra, *'ahare mot* 13, on Lev 18:5, has been contaminated with a different saying which limited the benefits of the Law to the righteous, as opposed to all Israel. It is worth noting that this opinion of Rabbi Me'ir accords with his opinion cited above, that the human likeness to God is *inter alia* a matter of similarity of form, wherefore all men are images of God. For other passages which clearly recognize that *'adam* refers to "human beings," including gentiles, see the exegeses of Exod 9:9f.; Lev 18:5; Num 31:40; 2 Sam 7:19; Jer 32:20; Ezek 28:2; Jonah 4:11; Pss 115:16; 118:6. These suffice to determine the reference in many other usages, for instance the technical expression, *ma'akal* [322] *'adam,* "human food," as opposed to food fit only for the lower animals, *ma'akal behemah.* For the same sense of *bene 'adam* see Gittin 47a, where Ps 115:16 ("As for the heavens, the heavens belong to Yahweh, but he gave the earth to *bene 'adam.")* is used to prove that gentiles may acquire land in Palestine in order to develop water supplies there. In Sanhedrin 104b one Israelite prisoner says to another, about their guard, "The camel walking in front of us is blind in one of its eyes, ... and of the two *bene 'adam* who are leading it, one is an Israelite and the other a gentile." In Nedarim 32a (end) Abraham is said to have been at fault because, after defeating the kings, he permitted the *bene 'adam* in the spoil to be taken away from him; he should have made them proselytes. In Tosefta Baba Meziʻa 9.33 (Zuckermandel 393) we have the ruling that if a lessee sublets a piece of property the owner may tell him, "I have no contract with any man *(ʻim kol 'adam)* except you." *(i.e.* you continue to be responsible for everything specified by your lease, regardless of what the subtenant does). Clearly, *'adam* here excludes gentiles as well as Israelites, and so it does in many similar negative passages. These, in turn, justify the supposition that the same sense is to be understood in many other passages, for instance Tosefta Baba Qama 2.12 (Z. p. 349), when it states that cattle customarily walk in the center of a road, and *bene 'adam,* on the sides; or in the common expression, דברה תורה כלשון בני אדם, "the Law expressed itself as men ordinarily do."

Thus the primary meaning of *'adam* ("human being") was well established in rabbinic usage, but in legal contexts the word was commonly used to mean "a man," *sc.* "any ordinary man to whom the law under discussion applies," *i.e.* any male, adult, free, sane Israelite. When the Mishnah lists the things "a man" must say on the eve of Sabbath (2.7), it of course does not bother to add that the obligation is not incumbent on women, children, slaves, fools and gentiles. But in other contexts the reference of the term, as the reference of the law, may be extended to include any or all of these classes. Consequently there are many discussions as to the exact extent of reference of one or another law.

One group of these discussions did much to mislead Jervell. It consists of a number of passages in which Ezekiel 34:31 ("And you, my flock, ... you are *'adam.")* is used to prove that in one or another Biblical law the word *'adam* refers only to Israelites. This application of Ezekiel 34:31 seems to have been first thought of by Rabbi Simon ben Yohai, who used the verse to prove that the laws on the impurity [323] of a dead body, since they begin with the words, "Should an *'adam* die in a tent," (Num 19:14) apply only to Israelites; gentiles, he argued, being excluded from the scope of this law, were *(in this respect)* like animals, which admittedly neither produced nor contracted this sort of uncleanness. Ben Yohai's exegesis and conclusions did not go unchallenged. It was objected that in Num 31:40 and Jonah 4:11 the word *'adam* undoubtedly referred to gentiles. He agreed that this was so, but argued that in those passages the word for "human being" had to be used to refer to gentiles for the sake of the contrasts, required by the contexts, between them, *qua* humans, and animals; in Num 19:14 there was no such contrast, therefore the narrower interpretation, indicated by Ezekiel's statement, might be used. He thus acknowledged the broader meaning of *'adam* and argued only for its more limited sense in this particular law. (Thus Yebamot 61a, Baba Mezi'a 114b.) In Keritot 6b we find ben Yohai(?) again using Ezekiel 34:31, to prove that Exod 30:32, which prohibits the application of sacred ointment to the flesh of an *'adam,* prohibits its use only on Israelites, not on gentiles. Here, too, he has to meet the same objections, and meets them by the same admission. His arguments found some acceptance. For example, later Rabbi Levi, interpreting Gen 9:5 ("From the hand of a the *'adam* ... I shall require the life of the *'adam.")* used Ezekiel 34:31 in the same way to limit the reference of *(only)* the second *'adam* to Israelites. The survival of both interpretations is shown by the exegesis of Gen 9:6 ("He who sheds the blood of an *'adam,* by an *'adam* shall his blood be shed.") Here one string of passages takes the first *'adam* as referring only to Israelites (Tosefta Sanhedrin 11:4, Z. 431; Sifre Zutta on Num 35:12; Sanhedrin 72b; etc.) while another takes the law as one of the commandments given to and therefore originally concerning all the children of Noah (Sanhedrin 57a; Gen Rabbah 34:14, etc.).

Of the above passages Jervell (82f.) neglects those indicating the broader sense of *'adam* and misunderstands those which limit the sense to Israelites. He does not realize that they are concerned with the question of the scope of particular laws, but thinks them definitions of the term *'adam* regardless of its context. Thus he arrives at the amazing conclusions summarized above. These he bolsters by a great number of false arguments, of which the largest collection is on pp. 81ff. These pages I shall now go through point by point:

Abot de Rabbi Nathan 2 *(sc.* of text A) says Adam was like God because circumcised; Jervell concludes that only the circumcised are [324] like God. But it is possible to resemble God in other respects, see above. (Here Jervell cites, as if in support of his opinion, Goldin's translation, p.180, n. 5. Read 45. But the note points out that circumcision is merely one condition of prefection. It is evidently supposed that there are others.)

Abot de Rabbi Nathan 37 (again text A): Man is like the angels because he speaks Hebrew. Jervell: Therefore only those who speak Hebrew are like the angels. Again one has to add, "in this respect"! Moreover, the parallel in Gen Rabbah 8:11 omits "Hebrew," which suggests that the similarity was originally the gift of speech. This suggestion is confirmed by the fact that the other similarities specified erect stature, understanding, and the ability to see out of the corners of the eye—are also universal human characteristics, two of them, by the way, bodily, which settles the question of the shape of angels, who were also made "in the image and in the likeness" of Guess Who (cp. Jervell, pp. 84f.).

Gen Rabbah 8:12 Jervell has evidently quoted from an inferior text. In Theodor's edition the passage in question reads, "Rabbi Hanina said, 'If (Adam) lives a virtuous life, (the commandment, Gen 1:28), "Have dominion (over the animals)," (will be fulfilled), and if he does not live a virtuous life, (the prophecy), "And they shall be subject" (to the animals).'" (This "prophecy" is produced by a different vocalization of Gen 1:26.) "Rabbi Jacob of Kefar Hanan said, 'To that which is in our image and our likeness *(i.e.* Adam before the fall), "Let them have dominion" (applies); to that which is not in our likeness (Adam after the fall), "And they shall be subject."'" This is the familiar notion that Adam lost the divine likeness as a result of the fall. As we have seen, it by no means prevented many rabbis from recognizing that men were still, at least in some respects, images of God. The notion and the recognition were by no means irreconcilable: Likeness to God seems often to have been thought of as a complex relationship, of which some elements could be lost and others retained.

"Mekilta, *Shir 9*" (ed. Lauterbach, pp. 75f., lines) "120ff. on Ex. 15.16 says that *(sic)* וארץ *(sic)* שמים (cp. Gen. 1.1) is Israel." (pp. 81-82). It does not. "See also Kohelet Rabbati I.4 § 4" *(i.e.* 1.9, on 1.4). This says that in the Bible the term *'erez (sometimes)* refers to Israel, as in the expression, "the captivity of the *'arez*" (Judges 18:30), which is literally "the captivity of the land," but of course means, "the captivity of Israel." Therefore the commentator concludes that in Eccl 1:4 *'erez* may also refer to Israel. And Jervell takes this as evidence that the [325] first man created was an Israelite! "And Sifre Deut. 37, 76a+b." This, too, is irrelevant (praise of Palestine).

To prove that "man" means "Israelite," Jervell uses Mishnah Sanhedrin 4.5, which he reads as saying, "the Biblical text indicates that anyone who destroys one Israelite life is as guilty as if he destroyed a whole world." In n. 46 (p. 82) he remarks that Beer-Holtzmann, in their edition of the Mishnah, said that some MSS omitted the word "Israelite" and preferred this reading. This preference, Jervell says, was a mistake, due to the fact that they did not understand that "man" means "Israelite." Thus the reading proves the principle and the principle determines the reading (and the circle is the most elegant form of argument).

Exod Rabbah 30.16: Anyone who strikes the image of a king must die, so must anyone who destroys a single Israelite life. Rabbi W. Braude tells me that A. Hallevi, in his edition of Exod Rabbah, omits "Israelite" *(beYisra'el)* and cites in support of his omission the Oxford and Jerusalem MSS and the parallel in Makiri. Here Jervell, n. 47, again refers to Goldin's ed. of Abot de Rabbi Nathan, this time to p. 204, n. 4. But Goldin there says that Schechter's addition of "Israelite" in a cognate passage (ARN, text A, 31; parallel San. 4.5, see above) is *not* justified by the sources. "Also in Num. Rabbah 16.24 the original likeness to God is referred only to Israel." I can find nothing in or near Num Rabbah 16.24 which might justify this statement, but editions differ.

"See also Exod Rabbah 40.1." This is one of the instances discussed above, where Ezek 34:31 is used to determine the extent of the reference of *'adam* in a Biblical verse, here Job 28:28, God said to *'adam*, "The fear of the Lord, that is wisdom." This is interpreted (perhaps correctly) as meaning, God said to Israel. Jervell seems to have taken this as justifying his statement that "The heathen first becomes human when he is converted to Judaism." To this he appends a note (48a) appealing, for further support, to the many statements: (1) That the newly baptized proselyte is as a newborn child. (This is a legal fiction meaning that he has lost all debts, including those of suffering due for sins, and also all property rights, including claims over children, claims to have fulfilled commandments, etc. These consequences are also misunderstood by Jervell in his n.51. The legal fiction does *not* include making the convert a born Israelite. In prayers, for instance, when referring to the patriarchs, he must say "their"—Israel's—"ancestors," not "our ancestors," cf. Bikkurim 1.4 etc.) (2) That one who converts a heathen is, as it were, his creator, (3) That an Israelite who repents is, as it were, a new crea[326]ture. (These are homiletic exaggerations from the simple fact that conversion and repentance are means of salvation i.e., life; the same sort of thing is given legal consequence in the equally frequent statements that a man's obligation to his teacher takes precedence of that to his parents. This has obviously nothing to do with the question whether gentiles—or Israelite parents—are human.) Here belong the references to Cant. Rabbah 1.3 § 3 (i.e. 1.22 on 1.3) and Bekorot 47a, misplaced in Jervell's text. And from here he goes on to argue from Baba Mezi'a 114b; Keritot 6b; and Yebamot 61a, all of them passages of which his misunderstanding has been discussed above.

The question as to whether or not Cain was an Israelite (pp. 82-3) is irrelevant to that of the humanity of gentiles after the flood, all of the latter being descendants of Noah.

Gen Rabbah 39.4 (read 39.14) "is another example of the homiletic exaggeration" considered in the preceding paragraph, class (2).

Hullin 91b does not justify the statement that Israel is considered the "himmlisches Urbild des Menschen."

This concludes the main body of Jervell's arguments for his thesis that rabbinic thought on the question of man's likeness to God began from the assumption that only Israelites are human. It seems to me that the quality of the arguments, as revealed by this examination of the main body, makes it unnecessary to deal in detail with the minor, collateral ones scattered through the rest of the work. The origin of the error was presumably in a misunderstanding of the texts discussed above, pp. 323-325, but the extension of this misunderstanding to so many irrelevant passages and the neglect of almost all the evidence to the contrary seem to me the results of a gift for systematic theology which is a great handicap in the study of rabbinic literature.

CHAPTER TWELVE

WHAT IS IMPLIED BY THE VARIETY OF MESSIANIC FIGURES?

[66] Everyone who has read much of the literature on the Dead Sea scrolls is aware of the large part played in it by discussions of passages supposedly concerned with "the Messiah."

In a number of instances, to be sure, the concern has proved to be that of the interpreters, rather than the text. Dupont-Sommer's unfortunate discovery of messianic references in the Habakkuk commentary is a case in point.[1] Another is the passage in the War of the Children of Light (xii.6ff.) which says, כיא קדוש אדוני ומלך הכבוד אתנו עם קדושים. This has been translated, "For the holy one of Adonai and the King of glory is with us, with the holy angels."[2] But the meaning is, "For Adonai is holy, and the King of glory is with, us, who are a people of holy men." This is argued not only by Ps 24:10 מי הוא זה מלך הכבוד, יהוה צבאות, but also by the fact that the War itself contains a parallel passage where the reading is כיא קדוש אדירנו, "For holy is our mighty one."[3] (As for עם קדושים, it is an interpretive comment on Deut 7:6: Israel's claim to be a holy people is justified only by the sect, which is a people of holy men, and it is with them, therefore, that the holy King of glory dwells.) Yet another instance is the passage in Hodayot iii.6-18, in which the prophet compares himself to a woman in travail who will, however, give birth to a first-born son, a "wonderful counselor," in the words of Isa 9:5. The fact that Isa 9:5 is usually taken as messianic has resulted in the same significance being foisted onto this section of the Hodayot.[4] But the prophet is here following that OT tradition[5] which compares the anguish [67] of prophecy to that of a woman in travail; the child to whom he[6] will give birth will be the word of the Lord (a mighty counselor),[7] and therefore the passage is of especial interest in showing that the author did not (or, at least, did not always) attribute messianic significance to every word of Isa 9.

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[1] See the refutation by B. Otzen, "Die neugefundenen hebräischen Sektenschriften," *Studia Theol.,* 7 (1954), 125ff., esp. 149ff.

[2] Most recently, by M. Black, "Messianic Doctrine in the Qumran Scrolls ," in *Studia Patristica,* edd. K. Aland & F. Cross (Berlin, 1957;=*T. u. U.,* 63), I, 441ff. esp. 454, cf. 455, n. 1; the earlier literature on the passage is cited by Black.

[3] 1QM xix.1: Black's "the holy one, our glorious one" is hardly plausible. Y. Yadin, *The Scroll of the War* (Jerusalem, 1955), pp. 328ff., has now shown conclusively, by a full commentary and many parallels, that the hymn of xii.6ff. refers to God himself.

[4] Again a recent example is Black, "Doctrine," p. 449, with references to his predecessors; further bibliography in Silberman's article, cited in the following note.

[5] Jer 4:19, 20:9; Ezek 3:3, &c. L. Silberman, "Language and Structure in the *Hodayot* (1QH3)," *JBL,* 75 (1956), 96ff., pointed out that the passage was a simile, but discredited his case by an implausible interpretation of the Hebrew and failure to recognize the OT source of the comparison.

Beside such instances where no messiah whatever is to be found in the text,[8] there are a number of passages where the word "messiah" does appear, but refers to some anointed functionary who may have nothing whatever to do with the End, and in any case owes his title to a position quite other than that normally, in modern usage, called messianic. Thus, for instance, when the War refers to "thy messiahs" (in xi.7) the term probably means the prophets of the OT, as it sometimes does in the Zadokite Documents,[9] and—if we follow Kuhn in thinking that these documents refer to two messiahs, from Aaron and Israel[10]—it is altogether probable that the messiah from Aaron is the anointed High Priest.[11] This variety of usage derives, of course, from the OT, where prophets[12] and priests,[13] as well as kings,[14] are anointed, and the term "my messiahs," equated with "my prophets," is even used to refer to all Israelites.[15] The same variety of usage is found in the pseudepigrapha—in particular Kuhn has argued persuasively that the Testaments of the Twelve Patriarchs show the same expectation of two messiahs as do the Qumran texts mentioned above.[16] Even greater variety appears in rabbinic literature, where a messiah may be an "anointed" (high) priest, or another priest anointed for a special function, or any past or future king of Judah or Israel who has been or is to be anointed,[17] to say nothing [68] of the other meanings inherited from the OT. And here, by the way, as in the Dead

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[6] There is no justification whatever for intruding "the community of Israel" into the passage.

[7] Ps 16:7.

[8] Other examples could easily be added, e.g., 1QpHab v.4, where בחירו is to be read as a plural (cf. Rabin's note in *The Zadokite Documents* [Oxford, 1954], p. 8, on ii. 12); 1QS iv.20, on which cf. Y. Yadin, "A Note on DSD IV 20," *JBL,* 74 (1955), 40ff.

[9] CD ii.12, probably to be read משיחי רוח קדשו, "those anointed by his holy spirit" (the usual confusion of *waw* and *yodh);*vi.l, again read משיחי, רוח probably to be supplied in the following gap.

[10] K. G. Kuhn, "The Two Messiahs," in *The Scrolls and the New Testament* (N. Y., 1957), pp. 55ff.

[11] Kuhn's theory, *loc. cit.;* see also L. Silberman, "The Two 'Messiahs' of the Manual of Discipline," *VT,* 5 (1955), 77ff.

[12] 1 Kings 19:16; Isa 61:1; cf. Ps 105:15 (=1 Chron 16:22).

[13] Exod 29:7, 29; Lev 4:3, 5,16; Num 35:25; etc.

[14] 1 Sam 9:16, 10:1, 15:1, 17, etc.

[15] Ps 105:15 (=1 Chron 16:22), cf. Isa 45:1 if "Cyrus" is an interpolation; Hab 3:13; Pss 28:8, 84:10 (or the High Priest?).

[16] Kuhn, "The Two Messiahs," pp. 57ff.

[17] Horayot 12a, bottom.

Sea documents,[18] the anointed high priest takes precedence; he is actually defined as "that messiah who is chief among messiahs."[19]

Faced with this embarrassment of messianic riches, the Christian exegete will probably try to define the object of his interest as *"the* Messiah"—the one whose coming is to be the major event in the End. But this brings us to the fact that just as there are messiahs without Ends, so there are Ends without messiahs. The War, for instance, gives us a detailed account of military goings on so extraordinary that they must be eschatological, but it says nothing whatever of any messiah.[20] Similarly, there is no reference to a messiah in the Hodayot,[21] nor in the Habakkuk commentary,[22] where we should expect one.

Here again, the state of affairs in the scrolls is a heritage from the OT and a parallel to the pseudepigrapha and the rabbinic literature. Many OT prophecies of the coming kingdom or world have no messiah,[23] and there is none in Jubilees (though chap. 23 contains a prophecy of the coming age from which the messiah's absence is conspicuous, and the blessings of Levi and Judah in chap. 31 are on the very verge of messianism), nor in Enoch 1-36 and 91-104, nor in the Assumption of Moses, nor in the Slavic Enoch, nor Sibylline Oracles IV, though all of these contain prophetic passages in which some messiah might reasonably have been expected to make an appearance. As for rabbinic literature, the comparative rarity of messianic references in the older material is notorious, and the independence of the terms, "the days of the messiah" and "the coming world" makes it possible that by some, at least, the one or the other may have been used exclusively. Certainly it is not safe to assume that the harmonization of the two concepts, which now prevails in rabbinic material, was customary and universal from the beginning.

This is *not* to say, of course, that the Dead Sea sectaries were generally without what would commonly be called messianic expectations. On the contrary, in their literature, as in the OT, the pseudepigrapha, and the Christian and rabbinic material, there are many passages in which the coming of some sort of messiah (or messiahs) is definitely associated with [69] the End.[24] Indeed—what proves most clearly the currency of the notion—the expectation even appears in passing references in legal texts, to indicate the terminus until which certain rules shall be valid: Backsliders shall not be readmitted until the messiahs come,[25] the laws governing camp discipline shall be observed until the messiahs come;[26] and so on. Even here, however, caution is necessary. For these instances show the expression coming to mean "forever"—and thereby losing its value as evidence of messianic expectation. A similar change in the meaning of other eschatological expressions appears in Tosefta Sotah xiii.2, on Ezra 2:63: Ezra reads, "The governor said to them that they should not eat of the most holy things until there should arise a priest possessing the urim and thummim." The Tosefta comments, "As a man who says to his neighbor, 'Until Elijah come,' or, 'Until the dead live.'" (Since the Tosefta here explains the meaning of a remark reportedly made at least 500 years prior to the time of the explanation, its words can hardly be taken as testimony for vivid eschatological hope.) That the same attitude was found in Christian communities is proved by 2 Pet 3:3: "You know that, in the latter days, mockers will come with mockery ... saying, 'Where is the promise of his coming?'" Since the Manual of Discipline (1QS ii.11ff.) devotes considerable attention to hypocrites in the Qumran sect, we have some ground on which to assume that, when the period until the messiahs' coming was used to mean "forever," there were some members who thought to themselves that "forever" would be a long, long time.

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[18] lQSa, adopting the restoration of Kuhn in "The Two Messiahs," pp. 54—56 and notes, underlying his comments in "The Lord's Supper," in *The Scrolls and the NT,* pp. 70-71.

[19] Horayot, *loc. cit.,* (The change of vowels is noteworthy, but does not really change the sense.)

[20] On xii.6ff. see above.

[21] On iii.6-18, see above.

[22] On v.4, see above, n. 8. The text is to be translated, "And (God) will commit the judgment of all the gentiles to his chosen (ones) and at their rebuke shall all evil doers of his people be found guilty, because they (his chosen ones) kept his commandment(s) when they were presecuted."

[23] E.g., Isa 2:2-5, 25-27, 29:17-24, 30:18-26; Ezek 38-39; Joel 4; etc.

Now all this variety in the matter of messianic expectations is merely one detail—though a particularly striking one—of the even greater variety of eschatological expectations current in the two centuries before and after the time of Jesus. To say nothing of mere differences in personnel and program, these expectations run the whole gamut of concepts, from ordinary kingdoms in this world, through forms of this world variously made over and improved, through worlds entirely new and different, to spiritual bliss without any world at all.[27] But the point to be noted is that these contradictory theories evidently flourished side by side in the early rabbinic and Christian and Qumran communities which copied the texts and repeated the sayings. What is more, quite contradictory theories are often preserved side by side in the same document—[70] the Book of Enoch is a glaring example and was evidently a very popular one, since it was widely used by early Christianity and current in the Qumran community, too.

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[24] E.g., 1QS ix.11; CD xix.10, xx.1, xii.23, xiv.19; J. Allegro, "Further Messianic References," *JBL*, 75 (1956), 174ff.; "A Newly Discovered Fragment," *PEQ* (1954), pp. 69ff.; etc.

[25] CD xx.1.

[26] CD xii.23, cf. xiv.19; 1QS ix.11.

[27] For a description of the range of variation, and an attempt (admittedly unsuccessful, pp. 69f.) to unscramble the several varieties, see P. Volz, *Die Eschatologie der jüdischen Gemeinde* (Tübingen, 1934), pp. 63-77.

Enoch, chap. 1, predicts that God will come down from heaven onto Mt. Sinai, the mountains will melt, the earth be split, all that is upon the earth will perish, then there will be a judgment on all men and the righteous will be rewarded. *Chap. 10* predicts that the archangel Michael will be sent to destroy the offspring of the evil angels and the spirits of the reprobate and all wrong from the face of the earth. Then the plant of righteousness and truth will appear and flourish forever; the righteous will escape and live till they beget thousands of children, and complete their years in peace; the earth will be planted with good trees and be marvelous fruitful; all nations will become righteous and worship God and live in sinless purity forever. *Chap. 38* predicts that the Righteous One (who evidently is not God) will appear in a blaze of glory before the righteous; the mighty of the earth will not be able to endure the light and will be killed by the righteous; sinners will be judged and driven from the face of the earth. *Chap. 45* predicts that God's Elect One will sit on the throne of glory and judge the works of men; the elect will then take courage and the Elect One will dwell among them; the heaven will be transformed into light and the earth into blessing; the elect will dwell on the earth and the sinners will be destroyed by God. *Chap. 46* predicts that the Son of Man will reveal the hidden treasures and destroy the mighty of the earth, the sinners, and the rich. *Chap. 56* predicts that the angels of punishment will stir up the Parthians to invade Palestine, but the invaders will fail to take Jerusalem, will begin to fight with each other, and so destroy themselves, and will finally (with all other sinners?) be swallowed up by Sheol. *Chap. 58* predicts that the righteous will be rewarded with eternal life (contrast Chap. 10, above) in endless light, and that darkness will be destroyed. *Chap. 90* predicts that the members of the sect (the sheep who can see, by contrast to the blind ones) will destroy the gentiles in war, then God will come and split the earth and the gentiles will be swallowed up in it. God will seat himself on a throne in Palestine and will judge the wicked angels and the former rulers of Palestine and the Jews who were not members of the sect. All these will be cast into the fiery pit. The second temple will be hidden away and a new temple built by God. All remaining gentiles will obey the members of the sect, who will all be virtuous and will be transformed into a higher order of beings (?—from sheep into bulls). *Chap.* 91:12ff. predicts likewise that the end will begin with military victories by the righteous, but locates the building of the true temple before the judgment, and has two judgments, a first on human sinners, a second on the angels. These specimens are far from exhaustive, but suffice to suggest the diversity of the eschatological prophecies with which the book [71] swarms. A list equally diverse could be compiled with equal ease from the Testaments of the Twelve Patriarchs, of which at least parts were also read in Qumran.

Admittedly it is always dangerous to argue from silence. But we can hardly suppose that the men who preserved these books were unaware of the contradictions between the eschatological notions they contained. Nor can we suppose they thought such notions unimportant, for they went to the trouble of copying out the books which contained them, and the history of Palestine through the whole period testifies to the immense importance, even on the practical, political level, of eschatological speculation. Nor are we justified in supposing that there was some unknown higher synthesis by which these many and apparently contradictory opinions were reconciled in a single system.[28] First, there is no trace of such a synthesis, and second, we have occasional evidence of polemic, within single groups, between advocates of different opinions—for instance, the well-known rabbinic attacks on those who reckon the date of the End,[29] and Paul's attacks on Christians who either denied the resurrection of the body or held that the day of the Lord had already come.[30] Customarily, of course, such passages are dismissed as mere evidence of what is called "heretical" tendencies within the groups concerned. But "heretical" is probably an anachronism, for, as shown above, the groups themselves preserved, in their sacred or quasi-sacred literature, widely divergent and quite irreconcilable accounts of the course and very nature of eschatological events.

What faces us, therefore, is an unreconciled diversity, within single groups, of opinions which are nevertheless considered important, at least by many members of the groups concerned. Recognition of this diversity raises very far-reaching problems as to the organization of these groups and the significance of their ceremonies. If a group had no single eschatological myth, it cannot have been organized as a community of believers in the myth it did not have. Nor can its cult acts be seen as dramatic representations or realizations of events which there was no single myth, accepted by all the members, to predict. If the variety of eschatological prediction is any evidence, eschatology was, for the members of these [72] groups, a comparatively arbitrary and individual matter—part, and an important part, of their general *Weltanschauung,* but a part about which the opinions of different members might, and did, differ quite widely, and about which some members might, and did, collect, in single MSS, many different opinions. Such an arbitrary and individual matter can hardly have been the basis of group organization and practice.

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[28] Though unjustified, the tacit presupposition of uniformity is common, witness the many articles which take for granted that the data are to be harmonized. Thus R. Brown, "The Messianism of Qumran," *CBQ,* 19 (1957), 53ff., identifies figures mentioned by different titles and supposes that, because the preserved sections of a work do not mention a particular figure, the sections not preserved probably did (! p. 58). It is not to be denied that such assumptions may sometimes be correct. But the manifest diversity of the material requires us first to make complete and distinct accounts of each separate title, and not to impose on any document any concept it does not clearly contain.

[29] Evidence collected by Strack-Billerbeck, IV.2.1013ff.

[30] 1 Cor 15; 2 Thess 2:2.

If we look for such a basis, we might do better to find it in agreement as to a common legal authority. This is not to say, a common code of laws. About individual rulings there is almost as much disagreement as about particular eschatological programs. But differences about legal questions are apt to lead to acceptance of some common authority, and this can easily become the basis of organization. Such organization may then express itself in communal meals and other forms of communal life, which individual members may interpret symbolically according to their individual eschatological notions, but which are primarily functions of the present organization, not anticipations of the end. This is clearly what happened in Rabbinic Judaism; to what extent it happened in the Dead Sea sect and in Christianity are separate questions which must be carefully (and separately) considered.

CHAPTER THIRTEEN

THE DEAD SEA SECT IN RELATION TO ANCIENT JUDAISM

[347] I think I should begin with an apology for my temerity in accepting your invitation to discuss the Dead Sea material as a whole. Such a discussion is certainly premature while the greater part of the material is still unpublished, and while certain basic studies of the documents have yet to be made, or, at least, made public. The question of the paleographic dating of the manuscripts, for instance, which could have great consequences for the reconstruction of the history of the sect, must remain *sub judice* until we have the material fully before us. The question of the text of the *Damascus Document*—another most important matter for the history of the sect—will have to be reopened when the new fragments are published.

Beside our brute ignorance of these matters of fact, there is a wide range for possible difference of opinion as to how the manuscripts were related to the owners and operators of the Qumran establishment. I am not referring to the ludicrous theories that the documents may be forgeries or genizah deposits, or anything of the sort. The archaeological evidence for connecting the documents with the pottery and the pottery with the establishment seems to me decisive.[1] But we cannot be sure that all persons connected with the establishment were members of the managing group. If we supposed that group to have been an organization like either that reflected in the *Manual of Discipline,* or that in the *Damascus Document,* we should have to suppose it complex. Beside the full members—of various degrees—there were also several sorts of probationers and, perhaps, a circle of pious hangers-on, young men sent down for moral training,[2] women who ministered to the needs of the members,[3] and the like. Such persons may have possessed books which the full members of the organization would not have fully approved, and it may be that we are finding somewhat more than '*The*...Library of Qumran.'[4] Even if we suppose that all books came from the official library, we cannot be sure that everything in the library reflected faithfully and directly the beliefs of its owners—that sort of absurd supposition should be left to the secret police. And even if we suppose further that all the books found were books fully approved by the authorities, yet we cannot take it for [348] granted that those books of which complete copies happen to have been preserved for us are necessarily the ones which stood highest in regard, nor even that those books of which most copies can be shown to have existed were therefore the books most important in the structure of the organization. Even supposing the finds quite accurately reflect the proportions of the original material—which they probably do not—the secretive character of the sect and its deliberate separation of the lower ranks from the upper, makes it likely that what we should find in greatest quantity and best preserved would be the comparatively exoteric books. We have fragments of a few books which presumably were not exoteric—fragments in cryptographic scripts and reversed writing.[5] These certainly testify to intentions to conceal something from someone, presumably from someone who might see the book, presumably, that is, from some fellow member of the group. Moreover, the works actually found in quantity go to confirm the supposition that they were intended for the outer circles: Manuals for the training of novices,[6] with liturgical texts which were read to the whole community, biblical texts and romantic retellings of biblical story,[7] apocalyptic speculations (of which the reading was probably an act of devotion), *Sacred Songs and Pious Ejaculations,* as the seventeenth century would have called them. Another thing to be reckoned with is the belief that most important teachings should not be committed to writing at all, the prejudice against written and in favour of oral tradition, which we find both in Christianity and in rabbinic Judaism and which may have affected Qumran.[8] It is important to realize that esoterism admits of degrees, and to consider the possibility that what we have from Qumran is mostly the exoteric literature of an esoteric sect.

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[1] See the restatement of the argument by R. de Vaux, *Les MSS de Qumrân et l'archéologie, RB* LXVI (1959), 87ff., esp. 92ff.

[2] Josephus, *Life,* 10-12. I doubt that Bannous was connected with the Qumran community. But other young men may have gone to it as Josephus went to him.

[3] Luke 8.3, cf. the graves of women at Qumran.

[4] From the title of the book by F. Cross (New York, 1958), my italics.

Against this ignorance of the relations of the documents to the Qumran community, it must be admitted that a great deal can be discerned directly from the documents themselves. Whatever their ancient context, they have already sufficed to change our notions as to the language and writing of Palestine in the first centuries B.C. and A.D., the biblical texts then in circulation, the ways in which these texts were interpreted, the legal conclusions and eschatological speculations which were derived from or read into them and the ways in which some of these conclusions were implemented and others fostered by the formation of one or more special communities of which we can glimpse the buildings, the organization, the economic and social [349] structures, the forms of study, the rituals, the calendar, the rules of daily life and the intense personal piety with its vivid convictions of sin and of present salvation. Many of these points have been made the subjects of detailed studies with which most of you are doubtless familiar.[9]

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[5] J. Milik, *Dix Ans de Découvertes* (Paris, 1957), pp. 76 and 79.

[6] That 1QS and CD were intended for the training of novices is suggested by the marked homiletic elements they contain, the edifying summaries of sectarian history (esp. in CD), the comparatively elementary content of the legal material, suggesting catechesis rather than advanced study, the forms of address in CD, the absence of information which goes beyond what novices might be expected to learn or could hardly be prevented from learning, etc.

[7] Not only the Genesis Apocryphon; on the romantic elements in T. 12 Patr. see M. Braun, *History and Romance* (Oxford, 1938).

[8] Christianity: 2 John 12; 3 John 13; Papias in Eusebius, *H.E.* 3.39.4; Clemens Alex., *Stromateis* I. Rabbinic Judaism: Y. Peah 1.6 (17a); Y. Meg. 4.1 (74d); Gittin 60b, Temurah 14b, Tanhuma *Wayera'* 5, *Ki tissa'* 34.

But when we try to use these evident characteristics to reshape our picture of first-century Judaism, we discover another difficulty—our ignorance of the relation of both the scrolls and the group or groups they picture, to Judaism as a whole.

Now a problem concerning relationship can be approached from either of the terms related. This means that, in the case of Judaism and the Dead Sea material, we can either take the new material and try to find a place for it in the established picture of Judaism during either first century, or we can reconsider the history of Judaism during those centuries and some time before, and see what the new material contributes to our knowledge of the structure of the religion as a whole.

As you know, it is the former of these methods which has been most followed. The questions have been: To which of the four sects mentioned by Josephus—Pharisees, Sadducees, Essenes and Zealots—should the new material be attributed? To which of the many wicked priests and gentile invaders, known from Josephus, the Books of the Maccabees and gentile historians, should be referred the statements in the texts? These, of course, are natural and perfectly legitimate questions, and any full treatment of the topic on which I am supposed to be speaking would have to answer them. But so many people with so little evidence have tried to answer them already that I think you will be glad to pardon me if I turn instead to the other method of investigation, of which I spoke, and ask, what is, in fact, the general picture of Judaism to which this new material must be related? When we survey the history of the religion, during the centuries prior to Christ, what characteristics are now brought into prominence and what explanations of them are indicated by this new material from the Dead Sea Scrolls?

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[9] Examples will be furnished readily by the bibliographies of Qumran by Burchard (Berlin, 1957), and La Sor (Pasadena, 1958).

Here it would be possible to list, again, a great number of more or less superficial parallels between the scrolls and pseudepigraphic, or Christian or rabbinic material. But in the first place a considerable number of such studies have been made already, and in the second place, these occasional parallelisms seem to me more likely to confuse than to clarify the main concern. In terms of scholarly concern the major consequence of the discovery of the scrolls has been to concentrate attention on the sectarian side of first-century Judaism, and the great problem which it raises is that of the nature of the Jewish sects and of their relation to the religion as a whole.

In the history of the study, I suppose that 'sect' appears primarily as a [350] translation of the term 'hairesis,' by which Josephus described these groups.[10] As such it was a philosophical term and its use was intended to imply that these groups were philosophical schools. Whether or not Josephus thought them so, it is now generally agreed that their resemblance to philosophical schools was no more than superficial, that they were basically religious, not philosophical, groups, and that the term 'sect' is therefore to be used of them, if at all, in its modern sense, as a religious, not a philosophical term. Thus we are led to the question, what was the nature and source of the religious differences which appear in ancient Judaism?

For this question, certainly, there is no lack of evidence. The Old Testament is peculiar, among all the literature of the pre-Christian world, as that most concerned with principally religious conflicts in historical time. Other literatures tell of conflicts between gods in the mythical or heroic past; yet others, of historical conflicts between peoples, whose gods were involved as supporters of the human parties. But what we have in the Books of Kings and most of the Prophets is a record of a long series of conflicts within a single people, between adherents of the same god, who differed as to the way in which he should be worshipped. And in many other parts of the Old Testament we have earlier history retold, or later history reflected, in the light of these conflicts.

The last years before the Babylonian exile saw a temporary triumph of those who were determined to worship not only Yahweh, the god of Israel, but also a number of the other deities whose cults were common in Palestine. The diatribes of Jeremiah and Ezekiel show us Jerusalem in the last days before the exile: The cults of Tammuz, Shamash and various other gods were established in the Temple (certainly not without the consent of the priesthood and the government); the domestic cults of Baal and Ishtar were general; the prophets prophesied by Baal as well as by Yahweh; there were altars, probably to Yahweh as well as to other deities, in every street—the prophets say—and on every rooftop and on every high hill and under every green tree.[11] With all due allowance for the inaccuracy of inspired utterance, the religion of Israel—if by that we mean the religion of the Temple of Jerusalem, the government and the majority of the people—was evidently the common polytheism of the Palestinian coast, differentiated by addition of the cult of Yahweh, the ancestral god of the Israelites.

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[10] E.g. *J.W.* 2.118f., 162 etc.

But as you know, there had been in Palestine a remarkable series of prophets of Yahweh who denounced the economic exploitation of the people by the upper classes and who insisted that the Israelites should worship Yahweh alone. The first of these themes is the concern of the first of the preserved prophetic books, that of Amos, the preacher of justice or, to use [351] the term now fashionable, of 'righteousness,' whom we find in conflict with the wicked priest of the temple of Bethel.[12] This conflict stems from one of the three main charges which the *Damascus Document* brings against its opponents, that of wealth obtained by improper means, what the *Damascus Document* calls *hon harasha'*, a phrase taken over into the New Testament as 'the mammon of unrighteousness.'[13] Presumably this subject remained a matter of dispute between teachers of righteousness and wicked priests from the eighth century on. We find Jeremiah[14] in the seventh century denouncing the priests and nobles on behalf of the slaves, and Nehemiah, the follower of this tradition, carrying on the same conflict in the fifth century[15] (and the theme is apparent in Pharisaic, Christian and Qumran polemic against the religious aristocracy).[16]

By Nehemiah's time, however, great changes had taken place. The spontaneous teaching of the prophets had been combined with much other material and codified as law in the central law book of Deuteronomy, and this law had become the rallying-point of a school of scholars and pietists who not only rewrote the history of Israel to accord with its teachings, but also developed the supremely important concept of the pious life as the life devoted to the repetition, interpretation and practice of the sacred law.[17] This was a pious life which they could and did practice in exile in Babylonia, but there, presumably, a further development took place. Because Deuteronomy had prohibited sacrifice outside Jerusalem, the exiled adherents of Deuteronomy had either to develop a drastic interpretation which would permit them to sacrifice elsewhere, or to develop a non-sacrificial form of worship. Different groups at different times seem to have done both. Some such interpretation must be presupposed to explain the acceptance of the Pentateuch by Samaria (the alteration of the text is evidently posterior), and the foundation of the temple at Leontopolis and, perhaps, those deposits at Qumran which have been thought to be sacrifices. On the other hand, the essentials of non-sacrificial worship—the worship of the synagogue, prayer and the ceremonial reading of the Law—are associated in our records with the return of Ezra, and it is likely to suppose that he brought them to Palestine from Babylonia.[18] Now the existence of this type of worship is of the greatest importance for the development of sects, because it facilitates the formation of small, private cult-groups which even the poor can afford to maintain. [352] Synagogues are essentially such cult-groups; they require no expensive buildings nor sacrifices, no elaborate ritual; one can meet in a room in an ordinary house, secretly, anywhere.[19] Membership in synagogues was therefore probably a first step towards the formation of sects, and this all the more so because these cult-groups were, from their inception, social groups, and especially groups of those who could eat together. Some of the rules of the law of purity could still be practiced in Babylonia and, so far as they were practiced, they must have cut off those who observed them from those who did not. Differences as to the interpretation of the purity laws and especially as to the consequent question of table fellowship were among the principal causes of the separation of Christianity from the rest of Judaism and the early fragmentation of Christianity itself. The same thing holds for the Qumran community and, within Pharisaic tradition, the *haburah.* They are essentially groups whose members observe the same interpretation of the purity rules and therefore can have table fellowship with each other. It is no accident that the essential act of communion in all these groups is participation in common meals. This is the direct consequence of the Deuteronomic tradition.

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[11] Ezek. 8.;Jer. 2:8, 11ff. 20, 27; 7:9, 17f., 31f.; 8:2; 9:13; 11:12f., 17; 12:16; 16:11f.; 17:2; 19:4f., 13; 32:34f.; 44 (Shamash is *shemesh,* the sun).

[12] Amos 7:10ff. Terminologically, Amos was not the preacher of righteousness; *zedaqah* with that sense does appear in 5:7 and 24, but both of these may be glosses and, in any event, do not suffice to make the *term* a major theme of his preserved utterances. But by *content* Amos was pre-eminently the preacher of what Isaiah and the Psalms were to call *zedeq,* 'righteousness.'

[13] CD vi. 15; iv. 17, and Rabin's note, *ad loc.;* Luke 16:9.

[14] Jer. 34:12 ff.

[15] Neh. 5.

[16] Pesahim, 57a; Josephus *Ant.* 20.181, 206f., probably reflects Pharisaic propaganda, cf. M. Smith, "Palestinian Judaism," chapter nine above, pp. 74ff; Mark 12:38-40, for the position of the scribes cf. 11:27; Matt. 23:23; 1Qp Hab xii. 10; CD iv. 17, etc.

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[17] Deut 6:6f.

[18] Neh 8. The blessing in v. 6 is presumably prayer. Cf. 'the eighteen blessings.'

[19] The economical and simple character of Jewish worship is given as one of the main reasons for its success by Strabo, *Geog.* 16. 2. 36 (T. Reinach, *Textes d'auteurs grecs,* etc. Paris, 1895, p. 100).

Nehemiah, to judge from his legal measures and his literary style, came to Jerusalem as the representative, not only of the Persian court, but also of the Deuteronomic tradition.[20] As such, he evidently stood (as he pictures himself) almost alone.[21] Therefore he attempted no religious reforms during the first years of his administration. Instead he ingratiated himself with most of the people by his rebuilding of the walls, and with the lower classes, especially, by his implementation of the Deuteronomic concern for the poor. He prohibited lending on interest and forced the return of property already seized for debt. It is to be noted that he justified this, not by appeal to the sacred law of Deuteronomy (which evidently was not generally recognized), nor to prophetic teaching, but to Israelite fellow-feeling.[22] Only when he had been in the saddle for twelve years and had secured his position by revisiting the Persian court, only then did he proceed to religious reforms—the purification of the Temple, the collection of tithes for the Levites, the enforcement of the Sabbath and the prohibition of intermarriage with families of neighbouring territories.[23] Who was his principal opponent in these legal reforms? Who but the wicked priest of the Jerusalem Temple! The wicked priest was a close friend of Tobias the Ammonite, to whom he had assigned a room in the Temple, and of Sanballat of Samaria, one of whose daughters had married one of his grandsons. Nehemiah not only expelled Tobias from the Temple, [353] but also had the Temple purified after the expulsion. Here we encounter clearly the second charge which the *Damascus Document* makes against its opponents, that of polluting the Temple,[24] and here, too, we encounter what is most characteristic of Israelite sectarianism, the claim that laymen can be better informed as to the purity laws than the Temple priesthood. This is a noteworthy thing. Customarily the priesthood had been the religious authority, and so especially on questions of purity.[25] But now a layman, relying on his own knowledge and interpretation of the sacred law, purifies the temple from pollutions for which the priests have been responsible. Christian story will make Jesus do the same;[26] Pharisaic story represented the Pharisees as supervising the Temple ritual and forcing the priests to follow Pharisaic regulations;[27] the Qumran parallels I have already mentioned. Thus Nehemiah's cleansing of the Temple is not merely an important particular clash between a wicked priest and a righteous interpreter of the Law; it is evidence of the existence of a new final authority, essentially of a new religion.

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[20] Style, e.g. 1:5ff. In legislation, he revised the Deuteronomic tithing laws in the interest of the Levites, but his concern for the Levites is itself Deuteronomic, as is that for the poor generally and in particular his prohibition of interest (cf. Deut 23:20ff.), and also the prohibition of intermarriage.

[21] Neh 2:12-16.

[22] Neh 5:7ff.

[23] Neh 13.

[24] CD iv. 17-18.

[25] E.g. Haggai 2:11ff. Ezra 2:63 was not an adequate precedent for Nehemiah's action, since there the civil authority evidently had to intervene to settle a conflict between various claimants to priesthood.

We can hardly think it accidental that the other reforms of Nehemiah also deal with questions which appear in the later history of Judaism as important differentia of the various sects.

He enforced the giving of tithes for the Levites,[28] so won the Levites over to his side, and was able to use them as para-military troops to put through his further reforms.[29] The giving of tithes for the Levites is one of the most important topics in rabbinic literature. It evidently was one of the principal differentiae of the Pharisees, who gave, as opposed to the majority of the population, the *'amme ha 'arez,* who did not.[30] Special associations of pledged tithers were formed, and developed their own disciplinary rules. The obligation to eat only tithed food was made the basis of elaborate regulations limiting table fellowship in a way comparable even to the effect of the purity laws. In the New Testament, on the other hand, tithing is minimized[31] and from the Dead Sea material it is conspicuously absent.

The third reform of Nehemiah was enforcement of the Sabbath. Here again he evidently had little popular support: He had to use his Persian garrison to shut the city gates to prevent trading on the Sabbath, then he used the Levites to guard the gates and keep them shut.[32] You are all familiar, [354] of course, with the critical role which Sabbath observance plays in the Gospels,[33] as one of the practical matters which separated the disciples of Jesus from other Jews. Similarly, the *Damascus Document* makes observance of the Sabbath according to the peculiar laws of the sect one of the major distinguishing characteristics of its adherents,[34] and Sabbath law is one of the most developed fields of rabbinic law and its precise observance was evidently among the more important matters which separated the Pharisees from ordinary Jews.[35]

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[26] Mark 11:15ff. and parallels; John 2:14 ff.

[27] Yoma 23a; Parah 3:7ff.; T. Parah 3:8; etc. On the statements of Josephus, cf. Smith, "Palestinian Judaism," *loc. cit.*

[28] Neh 13:10ff.

[29] Neh 13:22.

[30] See especially tractates Demai and T. Demai, *passim.* For the associations and their rules, T. Demai 2, with Lieberman's commentary and the recent study by J. Neusner, "The Fellowship in the second Jewish Commonwealth," HTR, 53 (1960), 125ff.

[31] The passage which makes most of it is Heb 7, and that is not much.

[32] Neh 13:15-22.

[33] E.g. Mark 2:23ff.; 3:2ff. and parallels; John 5:16; 9:16, etc.

[34] CD vi. 18; x. 14ff.

Finally, Nehemiah put a stop to marriages with families from neighbouring districts and drove out a grandson of the High Priest because he had married a daughter of Sanballat of Samaria.[36] It just so happens that differences about marriage law are the basis of the third of the three major charges (illicit sexual relations) which the *Damascus Document* makes against its opponents.[37]

Here and in the story of the cleansing of the Temple we have the clearest proof of the sectarian character of Nehemiah's reforms. For Tobias the Ammonite, whom he drove out of the Temple, and Sanballat the Horonite, whose daughter he pronounced unfit to marry a Jew,[38] were undoubtedly both of them worshippers of Yahweh. It is utterly mistaken to see the conflict of Nehemiah with these opponents as a conflict between worshippers of Yahweh and worshippers of other gods. The Book of Ezra specifically declares that the population of central Palestine were worshippers of Yahweh and that they had maintained his sacrificial cult throughout the period of the exile.[39] As to Tobias, there can be no doubt whatever. Not only does the fact that he came to the Temple establish the presumption that he came to worship, but his name, *tobiyah,* says openly, 'My good is Yahweh,' and he called his son *Yehohanan,* 'Yahweh gave graciously.'[40] Both he and his son were married into important Jerusalem families. Similarly Sanballat was certainly a worshipper of Yahweh, for he called his sons *Delayah,* 'Yahweh delivered,' and *Shelemyah,* 'A peace offering to Yahweh,'[41] and he gave a daughter in marriage to a grandson of the High Priest of Jerusalem.[42] Accordingly, the conflict in the Book of Nehemiah is not between Jews and gentiles, but between the Deuteronomic sect, as represented by Nehemiah, and the popular, generally established, cult of Yahweh, which no doubt perpetuated many characteristics of the syncretistic religion prevalent in [355] Judea prior to the exile. We find Third Isaiah denouncing much the same things as did the pre-exilic prophets,[43] and we see what looks like a perpetuation of the old cult in the Elephantine temple, whose adherents, in the years shortly after Nehemiah, turned for help first, unsuccessfully, to Jerusalem, and then, successfully, to Delayah and Shelemyah.[44]

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[35] Tractate Shabbat, *passim.*

[36] Neh 13:23-30.

[37] CD iv. 17, third in the order in which they have been discussed in this article, though first to be mentioned in the text. The particular point of marriage law at issue in CD is, admittedly, quite different from that in Neh 13.

[38] That he thought her unfit to marry a Jew, let alone a priest, is shown by the preceding verses.

[39] Ezra 4:2, *welo* is certainly to be read for *welo'*.

[40] Neh 6:18.

[41] A. Cowley, *Aramaic Papyri* (Oxford, 1923), no. 30, line 29 (with slightly different vocalization).

[42] Neh 13:28.

But while Nehemiah's legislation exhibited these sectarian characteristics, there is no evidence that behind it lay any closed, sectarian organization.[45] No doubt Nehemiah himself had been shaped by the conventicle in Babylonia where he had worshipped, and he seems to have brought some of his friends and family with him to Jerusalem, but there is no indication of his acting with them as a special religious group. The point at which we can first see the formation of a distinct, formally constituted sect, is, I think, the covenant in Nehemiah 10.

To understand this covenant we must keep in mind the history of the period after Nehemiah, as reported by Josephus in the *Antiquities:* Nehemiah's successor as governor of Judea was a Persian not at all concerned about the maintenance of the Deuteronomic tradition.[46] The family of Nehemiah's priestly opponents remained in control of the temple.[47] The aristocratic families of Jerusalem continued their alliances with the upper classes of the neighbouring territories, and these, in particular the Tobiads of Ammanitis, became thoroughly at home in Jerusalem. In Maccabean times we shall find the Tobiads so well established as to be the chief supporters of claimants of the high priesthood.[48] Good relations must have been restored with Samaria, too, because the Samaritans accepted the Pentateuch. On the other hand, the Pentateuch embodies Deuteronomy, as well as the priestly tradition, and is undeniable evidence of the continued power of the school Nehemiah had represented, as well as the continued power of the priesthood. On almost every page of the Pentateuch appears evidence of its origin as a product of compromise between conflicting interests. This accounts for the wide acceptance it achieved and for its conspicuously non-sectarian character, as demonstrated by its appearance in almost every branch of later Jewish tradition.

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[43] Isa 57:5, idols under every green tree, human sacrifices in ravines, (6) cults of streams (?), (7) fertility cults on high places, etc.

[44] Cowley, *loc. cit.*

[45] Nehemiah does contrast what 'we' have done to repurchase and free enslaved Israelites, with the practice of the Jerusalem aristocracy of selling debtors into slavery, 5:8. But 'we' here could be Nehemiah with his relatives and dependents (so Bertholet, *ad. loc.,* appealing to vs. 10) or the Jews of Mesopotamia (so Rudolph *ad loc.)* . Therefore it cannot be used as proof of an organized Deuteronomic sect, and the absence from Nehemiah's account of any other trace of the activity of such a sect amounts to proof that none existed in Jerusalem.

[46] *Ant.* 11.297ff.

[47] *Ibid.*

[48] *Ant.* 22.160, 237ff.

It is against this background of normative Judaism that the formation of the sects must be seen. Please note that this normative Judaism is *not* that of the Pharisees (in this respect the work of Moore,[49] which has had so many [356] followers, is almost completely misrepresentative). Down to the fall of the Temple, the normative Judaism of Palestine is that compromise of which the three principal elements are the Pentateuch, the Temple, and the *'amme ha 'arez,* the ordinary Jews who were not members of any sect.[50] This was clearly realized by the last great High Priest of the legitimate line, Simon the Just, who said: 'The world stands on three things, on the Pentateuch, on the Temple service, and on acts of kindness,'[51] acts of common humanity, whether or not performed as legal observances. By deliberate contrast to this background, the groups devoted to particular legal interpretations, and consequently to peculiar practices, define themselves. The essential step is for the members of the group to bind themselves together by entering into a covenant to maintain their peculiar practices.

This is what we see in Nehemiah 10.[52] The picture is somewhat obscured by the irrelevant framework of the Chronicler and by later glossation, but the nature of the essential document is clear. It is a covenant. First the parties are named[53]—it is less important for us to speculate as to which names may have been original than to remark the emphasis placed by the *Damascus Document,* the *War Scroll* and the New Testament Apocalypse on the naming of all the parties to the New Covenant. Next it is recorded that they have sworn, and this is also, for the Dead Sea sect and perhaps for the Pharisaic *ḥaburah,* the essential act of entrance.[54] Then comes the content of the oath: To observe the Law of Moses and in particular to maintain the reforms of Nehemiah and some additional observances, to wit, avoidance of marriage with *'amme ha 'arez,* refusal to purchase on Sabbaths and holidays, observance of the Sabbatical years by suspension of agriculture and cancellation of debts (Sabbath-year observance was to be another of the major differences between the Pharisees and the *'amme ha 'arez)* and payment of a long series of temple dues. The Chronicler has made of all this a covenant made by the [357] entire people, with Nehemiah at their head, but he has then contradicted himself by adding Nehemiah's report of how he one by one enforced, over bitter popular opposition, a few of the many reforms which here the whole people had previously undertaken to observe, of their own free will.[55] The document, therefore, is much more easily understandable as the basic covenant of a sect, a group of special observants, in the tradition of Nehemiah, but now particularly concerned with the observance of their obligations towards the Temple. We shall hardly be wrong in associating it with the tradition of the Levites, whom Nehemiah had reorganized and supported, who had in turn supported him, whose literary tradition preserved his memoirs and whose composite Book of Chronicles closed with the celebration of his work.

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[49] G. Moore, *Judaism in the First Centuries of the Christian Era* (Cambridge, Mass., 1927-30), 3 vols.

[50] Smith, "Palestinian Judaism," pp. 73ff.

[51] Aboth i. 2. I am not persuaded by the ingenious re-interpretation of *gemiluth ḥasadim* in J. Goldin's "The Three Pillars of Simeon the Righteous," *Proc. Amer. Acad. Jewish Res.* 27 (1958), 43ff

[52] W. Rudolph, *Esra u. Nehemia* (Tübingen, 1949), *ad loc.* has shown that this cannot have come from Ezra's reforms. The arguments to the contrary by A. Jepsen, "Nehemia 10," *ZAW* N.F. 25 (1954), 87ff., are unconvincing. Against Rudolph's supposition, that this is a documentary record of Nehemiah's reform, must be objected, beside the fundamental consideration mentioned in the text, the facts that the covenant shows the Sabbath markets, which Nehemiah had closed, were again open, and that it provides that the Levites shall collect the tithes due them in all the towns of the land, whereas one of Nehemiah's main concerns had been to require the delivery by the laity of the Levitical tithes to Jerusalem, so as to hold the Levites as a concentrated force in the city.

[53] Verse 29a, certainly in large part, and perhaps entirely, is redactional, see Rudolph, *ad loc.*

Association of Nehemiah 10 with the Levites is particularly plausible because it is in the work of the Levitic Chronicler that we first see, in post-exilic times, something like a sect in operation. This is the *bene haggolah,* the Palestinian 'Organization of Returned Exiles,'[56] which the Chronicler has made the hero of his account of the restoration, as given in the Book of Ezra. According to him it was the *bene haggolah* which rebuilt the Temple,[57] although the Book of Haggai clearly says it was the work of all the people of the land.[58] Similarly, for the Chronicler it was the *bene haggolah* who dedicated the Temple, kept the Passover after the dedication and offered sacrifices with the new arrivals from Babylonia when Ezra arrived.[59] That there was no such organization is reasonably certain from the absence of any trace of it in the authentic memoirs of Nehemiah, where, if it existed or ever had existed, it or its record should certainly have influenced the course of events.[60] Since it did not exist, the Chronicler's invention of it is interesting, and particularly interesting is the way he makes it operate in his rewriting of Ezra's account of his attempt to force the men of Judea to divorce the wives they had taken from the neighbouring districts. When Ezra learns of these marriages he tears his clothing and his hair and his beard and makes a terrific scene in front of the Temple and eventually allows himself to be persuaded to proceed to legal action.[61] 'And they sent word through Judah and Jerusalem to all the *bene haggolah* to assemble in Jerusalem, saying that if anyone would not come on the third day, as ordered by the rulers and the elders, all his property should be forfeit (to the Temple) and he should be separated from [358] the assembly of the *(bene) haggolah.*'[62] Here we have not only the language and mentality of the *Manual of Discipline,* but also the social structure and methods.[63] As in the *Manual,* the assembly meets, hears debate, and decides on certain measures which it is then incumbent on the members of *bene haggolah* to obey under penalty of expulsion from the sect.[64]

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[54] Neh 10:30; an oath is evidently presupposed by 1QS i. 1-20; the remains of an oath formula *('im lo')* appear in CD. vi. 14, and the rest of the passage is explicable only if the oath is understood. Josephus, *J.W.* 2.139; Hippolytus, *Philos.* IX, 23. For the *ḥaburah,* S. Lieberman, "The Discipline in the So-Called Dead Sea Manual of Discipline," *JBL* 71 (1952), 199ff. It should be noticed that the essential act of Christian baptism may also have been a solemn assertion. This would explain why water and formulae could be dispensed with in certain circumstances, such as martyrdom, when the assertion was demonstrated.

[55] See above, n. 52.

[56] Distinct from the Israelites in exile, who are simply *haggolah.* Ezra 4:1; 6:19f. etc., cf. 2:1, and so generally. The Chronicler sometimes uses *haggolah* for short to refer to his Palestinian organization, Ezra 9:4; 10:6 and 8, but the special reference is clear from the context in all these passages.

[57] Ezra 4:1.

[58] Haggai 1:12, 2:4.

A further and most important point of similarity between the *bene haggolah* and the sects reflected in the *Manual* and the *Damascus Document* is that both could receive proselytes from the rank and file of Judaism, the *'amme ha 'arez.* (This is what marks a group as sectarian, its separation from the majority so that joining it requires an act of conversion.) For the Chronicler the fact that *bene haggolah* made proselytes from the *'amme ha 'arez is* somewhat obscured by his determination to equate Babylonian Jewry and its offshoots with the children of Israel and to represent the *'amme ha 'arez* as gentiles descended either from the Canaanites, Hittites, Perizzites and associated anachronisms,[65] or from the Mesopotamian exiles brought to the country by the Assyrians two hundred years before.[66] This makes it seem as if he were speaking of converts from the gentiles, but we have already seen enough of the actual state of affairs to understand his meaning when he says that "the children of Israel, the priests, the Levites and the rest of *bene galutha*" dedicated the Temple,[67] or when he refers to "the children of Israel who returned from the *golah* and everyone separated unto them from the impurity of the *goyye ha 'arez.*"[68] This immediately recalls the oath of entrance prescribed by the *Manual,* "to separate from the congregation of the men of iniquity,"[69] and is even closer to the oath of the *Damascus Document,* "to be separated from all impurities."[70] It is the more remarkable because genuine Ezra and Nehemiah seem never to have considered the possibility of proselytism (which strongly suggests that they were not members of organized sects to which proselytes could be made). Their concern was to break the ties of family and religion between the Judeans, whom they could hope to rule, and the other Palestinian worshippers of Yahweh, whom they could not. The Chronicler has misunderstood or misrepresented their problem, and has done so by analogy with his knowledge of the practices of some pietistic sect which therefore must have existed in his time, most likely the sect of which he inserted the covenant in Nehemiah 10.

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[59] Ezra 6:16, 19f.; 8:35, reading *ubene* (haplography after the preceding yodh. This emendation is not necessary to the theory; one could keep the present text and suppose that the new arrivals and the previous ones were alike included in *habba'im mehashshebi).*

[60] Zech 6:10 is hardly evidence to the contrary. It implies that the returned exiles were known as such in Jerusalem, perhaps that they formed a group there, but no more.

[61] Ezra 9:3; 10:2-6.

[62] Ezra 10:7-8.

[63] 1QS vi. 25; vii. 1f., etc.

[64] Ezra 10:9-16.

[65] Ezra 9:1.

Whether or not Nehemiah 10 is the basic covenant of a sect, and whether or not the *bene haggolah* of Ezra reflect the existence of such a sect, there can be no doubt that sectarian movements in Judaism began well before the Maccabean revolt. Enoch 83-90, the "animal farm" section, makes this perfectly clear. It follows the Old Testament history quite unmistakably [359] down to the rebuilding of the Temple, but then declares that the bread offered in the second Temple, from its beginning, was polluted and the sheep who built the second Temple were blinded.[71] Moreover, it knows the appearance of a race of seeing lambs, who cry out to the blind sheep, before the appearance of the horned lambs, who are clearly the Maccabees. And finally, it dates itself unmistakably by expecting violent divine intervention in the crisis before the death of Judas Maccabaeus in 161.[72] The same history seems to lie behind the account given in the *Damascus Document* when it lists all those who had sinned through walking in the hardness of their heart.[73] The list is the well-known list of biblical sinners, from the fallen angels to the destruction of the first Temple; then, after the destruction of the Temple, we have the entry, "Through it, those who first came into the covenant sinned."[74] What covenant? Perhaps the one in Nehemiah 10. If so, it could be seen as the *pro-arche* of the Damascus sect, for the text goes on to tell how these covenanters were punished for their failure to keep the covenant, but with the faithful remnant of them (that is, a splinter group from the sect) God renewed his covenant for ever, to reveal to them the hidden things of his Law, about which all Israel had gone astray—the laws about Sabbaths and holidays, the requirements of righteousness.

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[66] Ezra 4:2, 9. etc.

[67] Ezra 6:16.

[68] Ezra 6:21.

[69] 1QS v. 1, 10.

[70] CD vii. 3, that this is an oath was shown above, n. 54.

[71] Enoch 89:73f.

[72] Enoch 90:13, the horn is not broken.

For various reasons I doubt this particular connexion—especially because Nehemiah's covenant of chapter 10 was above all for exact performance of obligations to the Temple—but I have thought it worth suggesting in order to illustrate the *sort* of histories which must be supposed to lie behind the sects represented by the Dead Sea material. My object is not to clutter the subject with any more premature identifications, but to demonstrate the character of ancient Judaism, by virtue of which such sects arose in it, and the character of these sects, as it was determined by that of the religion as a whole.

If what has been said here is correct, these two questions of the nature of Judaism and of Jewish sectarianism are intimately and necessarily related to each other. That is to say, the appearance of these sects within Judaism is not a mere accident, but draws its origins from the same sources as did that (originally sectarian) Pharisaic side of the religion which ultimately prevailed, namely, from the prophetic tradition, from the codification of that tradition in a sacred Law, from the conception of piety as the learning, interpretation and practice of the sacred Law, and from the identification of the individual learned in the Law as, in the last analysis, the final religious authority. Since learned individuals often disagree—a generalization which will doubtless be illustrated by the comments on this theory—this concept of [360] religious authority leads directly to the formation of different schools of legal interpretation, and differences of legal interpretation lead directly to the formation of different groups for worship and for table fellowship. When these differences are fixed by the entrance of the members into special covenants to observe them, you have the formation of sects, and the best known Jewish sects of the period before 70 A.D. are essentially groups for the observance of peculiar legal interpretations.[75] Once formed, such a group may glorify its founders in one way or another, may adopt, or at least may tolerate, among its members, all sorts of eschatological speculations and peculiar developments of personal piety, may pick up elements of alien thought, whether from Greek philosophy or from Persian religion, but these things are certainly non-essential to its structure, probably secondary in its development, and possibly, in some instances, no more than peculiarities of individuals among its members. They could be changed or even removed, and the sect would go on, as a peculiar community defined and held together by its peculiar legal observances. But touch the Law, and the sect will split, as shown by the fact that the divisions of which we hear before 70 A.D. are, when we can be sure of their nature, the results of disputes over legal questions. Such are the questions which separate Paul from his opponents, the House of Hillel from the House of Shammai, and the teachers of the Dead Sea sects from their adversaries. The essential contribution, therefore, of the fuller picture of Jewish sectarianism which we have been given by the Qumran finds, is to increase our estimate of the importance of that side of ancient Judaism which conceived of it as the religion of the Law, and to do this by demonstrating the legal origin and nature even of the Jewish sects.

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[73] CD ii. 16-iii. 14. The pronouns throughout the passage are to be emended accordingly.

[74] Accepting Schechter's emendation of iii. 10. On metrical grounds, 'first' may be an explanatory addition, but if so the explanation is probably correct.

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[75] To this it will certainly be objected that the primary thing in Christianity was Jesus' belief that he was the Messiah, so that his followers from the very first joined a sect differentiated primarily by messianic, not legal, peculiarities. Given the state of our knowledge, this objection can neither be maintained nor rebutted with complete confidence. But even if one were to grant that in Christianity, by exception, a messianic belief was primary, one could still maintain that it was legal dispute which precipitated the isolation of Christianity as a distinct sect.

CHAPTER FOURTEEN

GOODENOUGH'S *JEWISH SYMBOLS* IN RETROSPECT

[53] Vol. XII of *Jewish Symbols,*[1] which completes the text,[2] was finished by Professor Goodenough in his seventy-first year, only a year and a half before his death. This may excuse the fact that the text is a restatement, not a reconsideration, of the previous volumes. Some new material has been noticed;[3] there is a sprinkling of references, mostly acrimonious, to remarks by critics;[4] there are a very few changes of opinion which, if followed up, might have affected the major outlines of the work.[5]

Consequently review of the present volume entails reconsideration of the work as a whole. Let us begin by restating the argument:

Religious symbols are among the objects that produce emotional reactions in their observers (make them feel secure, hopeful, etc.). The [54] emotional reaction produced by a symbol is its "value," as distinct from its "interpretation," which is what the people who use it say it means. The value of a symbol is always essentially the same, the interpretations often change. (Thus the picture of a wine-cup produced from time immemorial its "value," a feeling of euphoria, although its "interpretation" as a reference to Christ's salvific blood began only with Christianity.) So long as an object commonly produces its "value" in the observers, it is a "live" symbol. Once the "value" is no longer commonly produced, the object is a "dead" symbol. One social group may take over symbols from another. When "live" symbols are taken over, they retain their former values, but are commonly given new interpretations. In the Greco-Roman world there was a *"lingua franca"* of "live" symbols, drawn mostly from the cult of Dionysus, which both expressed and gratified the worshipers' hope for salvation by participation in the life of a deity which gave itself to sacrificial death in order to be eaten by its followers and to live in them. The Jews took over certain of these "live" symbols. (In Palestine, before 70, because of the anti-iconic influence of the Pharisees, they took only geometric objects, vines, grapes, and the like; elsewhere—and, in Palestine, after 70, when Pharisaic influence declined—they took also figures of animals and human beings.) Since these symbols were "live" in Greco-Roman society, the Jews must have known their "values" and adopted the symbols for the sake of those "values." Therefore the Jews must have hoped for mystical salvation by participation in the life of a self-giving deity, probably through a communal meal. However, since they worshipped only Yahweh, they must have imposed, on these pagan symbols, Jewish interpretations. These interpretations, as well as the symbols' unchanged "values," may be discovered in the works of Philo (the chief remains of this mystic Judaism) and also occasionally in the other Jewish literature of the time, and in early Christian works. (The rapid development of Christian theology and art suggests they arose from similar prior developments in Judaism.) The same sources indicate the "values" and interpretations which the Jews found in and imposed on those objects of Jewish cult which they now began to use as symbols: the menorah, the Torah shrine, and so on. For "values," however, all literary sources are secondary; the symbols must first be allowed to speak for themselves. Rabbinic literature is particularly unreliable as to both the "values" and the interpretations of the symbols, since "the rabbis" were both anti-iconic and opposed to mysticism. Their religion was a search for security by obedience to a law laid down by a god essentially different from man; with this god no union was possible, and his law forbade making images. The widespread use of the mystical symbols testifies, therefore, to a widespread mystical Judaism indifferent, at best, to the authorities cited in rabbinic literature. To judge from the archeological evidence, rabbinic Judaism must have been, by comparison with the mystical type, a minor sect. [55]

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[1] Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period, Vol. XII, Summary and Conclusions,* New York, 1965 (Bollingen Series XXXVII). Pp. xii+ 217. $6.

[2] A thirteenth volume is in preparation. It will contain maps and a general index.

[3] So especially, G. Scholem's *Jewish Gnosticism*^{2} (1965), and occasionally details of the Dead Sea finds. Pp. 191-97 deal with the synagogue of Sardis, about which Goodenough received reliable information only as the volume was going to press.

[4] The only extended discussion of criticism is a two-page attack (pp. 65-67) on E. Urbach, "The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archaeological and Historical Facts," *Israel Exploration Journal* 9 (1959), pp. 149ff. and 229ff.

[5] I noted only the following:

p. 67: His prior supposition, that all "rabbis" were "rabbinic Jews" in the customary sense of the term, was false; some rabbis would make images for themselves.

p. 75: He discussed psychology too much from the masculine point of view. However, the data "are overwhelmingly the product of males."

p. 92: His interpretation of the symbols as referring to individual salvation neglects the meaning for the group which they probably also had, but this meaning he still cannot recognize.

Of minor corrections I noted: He concedes the Pharisees did not dominate Palestine *politically* before 70, but continues to accept Josephus' statements that they did, and reasserts his "feeling" that it was largely their religious influence which prevented the use of symbols at that time (p. 65). He was mistaken in saying the *Rübe* never appears with the lulab, and probably, therefore, in thinking it equivalent to the lulab (p. 96, n. 1). He accepts Neusner's interpretation of the *cena pura* (p. 100). The wreath on the er-Ramah synagogue was probably not empty, but contained a bust now chipped away (p. 138, n. 20). The seats around the apse at Sardis make him dubious as to the use of apses elsewhere, perhaps they were not only recesses to hold the Torah and other cult instruments (p. 194).

This list is probably not complete, but changes of opinion, even on minor matters, are few.

Let us now take this argument point by point and consider the reviews.[6] Those listed in ADDITIONAL NOTE 1 will hereafter be cited merely by author's name and page number. The list is probably not complete, but is a fair sample; it was compiled chiefly from *L'Année philologique,* a bibliography too often overlooked by students of the NT and of Judaism.

The fundamental point in Goodenough's argument is his concept of the "value" of a symbol as distinct from the "interpretation." He defined the "value" as "simply emotional impact."[7] But he also equated "value" with "meaning" *(ibid.)* and discovered as the "meaning" of his symbols a complex mystical theology.[8] Now certain shapes may be subconsciously associated with certain objects or, like certain colors, may appeal particularly to persons of certain temperaments. This sort of symbolism may be rooted in human physiology and almost unchanging. But such "values" as these do not carry the theological implications Goodenough discovered.[9] However, these implications *need* not be represented as the "values" of the symbols. One could say, "The use of these symbols indicates a religion with the concerns characteristic of mysticism. If we attempt to recover the theology of this lost mysticism we must rely on Philo, since he is the best preserved Jewish mystic of the period. This will result in Philonic reconstructions. But most of the mystical Jews were not theologians. They only felt the things which Philo tried to explain." This, I believe, was substantially Goodenough's position, albeit obscured by careless statements which occasioned objections.[10]

After this definition of "value," the next step in Goodenough's argument is the claim that each symbol always has one and the same "value." This thesis drew many protests,[11] because many symbols have apparently contradictory values. (A red light, for instance, now, on the end of an automobile, means, *keep* away; formerly, in red-light districts, it meant, *come.*) So Goodenough's position can be defended only by making the one constant value something so deep in the subconscious and so ambiv[56]alent as to be compatible with contradictory "interpretations." In that event it will also be compatible with both mystical and legalistic religion.[12] In that event the essential argument, that the use of these symbols necessarily indicates a mystical religion, is not valid.

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[6] See ADDITIONAL NOTE 1.

[7] *Jewish Symbols* (henceforth *JS*), XII, p. 70.

[8] Bickerman, p. 148.

[9] Dinkler, p. 333; Bickerman, p. 135; Smith, pp. 82f.

[10] E.g., Gaster, p. 188; R. Grant, p. 292; Marcus, p. 185; Nock, p. 733; North, pp. 313, 181; Smith, pp. 82f.

[11] Bickerman, pp. 518, 133 (with examples), 143; den Boer, pp. 68f.; Daniélou, pp. 576, 602; Ehrlich, p. 279; Goossens, p. 252; Guillaumont, p. 484; Gutmann, p. 35; MacKenzie, p. 629, (and the converse—the experiences symbolized also differed from culture to culture, p. 265); Momigliano, p. 246; Mouterde, p. 343; Nock, pp. 532, 731f.; Smith, pp. 172f., 219. By contrast, Hooke, p. 119 asserted that Goodenough had "clearly vindicated" this principle (in which Hooke found justification for the methods of the "Myth and Ritual" school); this was merely the pot calling the kettle white. Cf. H. Frankfort, "The Archetype in Analytical Psychology and the History of Religion," *Journal of the Warburg and Courtauld Institutes* 21 (1958), pp. 166ff., especially the fourth "correction," p. 178.

The same conclusion follows from the upshot of the dispute over common decorative motifs (rosettes, circles, stars, etc.). That Goodenough went too far in attributing symbolic value to these motifs was an almost universal objection[13] which he dismissed as an expression of prejudice. After the argument even Nock had to admit that rosettes might be sometimes symbolic; Goodenough, that they might often be meaningless.[14] In logic, this latter admission ruins his argument. If a symbol does not have a constant value, then one cannot use the appropriation of it as proof of concern for its constant value.

The same conclusion again follows from later Jewish borrowing of Christian symbols which were unquestionably "live," but were borrowed by Jews of unquestionable orthodoxy. Gutmann observed, for instance, that medieval Hebrew manuscripts use the conventional picture of the coronation of the Virgin as a representation of God's marriage with Israel.[15] Either this "live" symbol changed its value, or its value was something so ambivalent as to be compatible with mystical Christianity and nomistic orthodox Judaism, or the Jews neglected its value and took it over as a mere decorative device. In any of these events, Goodenough's argument from the borrowing of symbols in antiquity will not hold.[16] [57]

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[12] Bickerman, pp. 250, 518, 133.

[13] Albright, p. 24; Avi-Yonah, pp. 196f. (singling out the ivy leaf, lion mask with ring, and six-pointed rosette as nonsymbolic); Baron, p. 198; Bickerman, pp. 142 (pagan interpretations of pictures show they were nonsymbolic), 143 (so hunting scenes and doves); den Boer, p. 67; Couroyer, p. 115 (Goodenough has done well to oppose "the intellectual laziness which is too easily content with too simple explanations," but one must not deny the artist's delight in mere decoration: rosettes on ossuaries, birds and animals in mosaic patterns, are surely decorative.); Daniélou, p. 577; Dinkler, p. 334; Ferrua, p. 243; Gusinde, p. 1013; Gutmann, p. 35; Jeremias, p. 504; Landsberger, pp. 423, 450; Leon, pp. 261f.; Nock, pp. 564 (crowns, ivy leaves, palms); 566 (the arcuated lintel); p. 731 (female heads); pp. 732f. masks, rosettes; North, p. 180 (crudeness of execution does not preclude decorative intent; wine, food, and phalloi may be represented for their own sweet sakes and not as symbols of something else), p. 313 (gabled roof, round objects); Smith, pp. 173f. (bucrania, lions' feet on furniture, lions' heads holding rings); Vincent, p. 106 (zigzags, leaves).

[14] Nock, p. 732; Goodenough, *JS,* XII, p. 24. On the symbolic value of simple patterns Goodenough's views now receive strong support from the material published by E. Testa, *Il Simbolismo dei Giudeo-Cristiani,* Jerusalem, 1962 *(Pubblicazioni dello Studium Biblicum Franciscanum,* x).

[15] Gutmann, p. 22, with other striking examples. Cf. Kayser, p. 60, Roth, p. 180.

However, even if a symbol does not *always* have the same value, yet *within one culture* the meanings of *most* symbols are *relatively* constant (as shown by the fact that they are commonly understood). So Goodenough's supposition of constancy might be defended as roughly correct in most instances, within the limits of the Greco-Roman period.

With this partial justification we go on to the next point: The *lingua franca* of Greco-Roman symbolism, predominantly Dionysiac, expressed hope for salvation by participation in the life of a deity which gave itself to be eaten in a sacramental meal. This oversimplifies Goodenough's interpretations of pagan symbolism; he recognized variety which cannot be discussed here for lack of space. But this thesis was his main concern, and drew objections from several reviewers, notably from Nock, who was the one most familiar with the classical material.[17]

It must be admitted that Goodenough's support of this contention was utterly inadequate. What had to be established was a probability that the symbols, as *commonly* used in the Roman empire, expressed this hope of salvation by communion. If they did not *commonly* do so *at this time,* then one cannot conclude that the Jews, who *at this time* took them over, had a similar hope. But Goodenough only picked out a scattering of examples in which the symbols could plausibly be given the significance his thesis required; he passed over the bulk of the Greco-Roman material and barely mentioned a few of the examples in which the same symbols were said, by those who used them, to have other significance. These latter examples, he declared, represented superficial "interpretations" of the symbols, while the uses which agreed with his theory expressed the symbols' permanent "values."[18] The facts of the matter, however, were stated by Nock: "Sacramental sacrifice is attested only for Dionysus and even in his cult this hardly remained a living conception" (p. 734); there is no substantial evidence that the worshipers of Dionysus commonly thought they received "his divine nature in the cup" (p. 565). So much for the significance of the *"lingua franca"* of Greco-Roman Dionysiac symbolism.[19]

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[16] Goodenough's attempt, *JS,* V-VIII, to demonstrate permanent values for the symbols by collecting scraps of ancient near-eastern evidence, is utterly unconvincing. As Segert remarked, p. 159, the scope of the comparison has resulted in superficial treatment of the parallels adduced. And what of the material not adduced?

[17] Couroyer, p. 115; Mouterde, p. 262; Nober, pp. 365f.; Nock, pp. 564f., 571, 530f., 733f. "far beyond evidence or probability."

[18] Den Boer, p. 68; Mouterde, p. 265; Nober, p. 366; Nock, p. 734; North, p. 313.

[19] Cf. den Boer, pp. 86f.; Momigliano, pp. 240, 245.

Here it is not possible to plead that the "values" of the symbols testify to widespread mysticism among the common people, therefore the rarity of literary references to it is unimportant. For the question is what *are* the "values"—if any—of the symbols, and how are they known? One might think they are best known when the people who used them left inscriptions telling what they meant, next best, when they are explained in works whose authors were close to them in time and culture, and finally, though least securely, by inference from the ways the sym[58]bols are used. But Goodenough ruled out the inscriptional and literary evidence which did not agree with his theories—it stated merely the users' "interpretations," of the symbols. He also passed over the evidence of usage which he found inconvenient, especially that which showed that his symbols were often used as mere decorative devices.[20] Whence, then, did he discover the "true values" of the symbols, knowledge of which enabled him to reject so much of the evidence? By intuition. "The study of these symbols has brought out their value for my own psyche ... and I must say that the value I have found in them seems to me what made them of such great importance in antiquity. If this be subjectivism, let my critics make the most of it. In saying I am wrong, they can speak only under the influence of other symbolic impressions."[21] Not *only*. There is also the influence of the ancient evidence which Goodenough rejected. His picture of a *common* mystic and sacramental paganism must be dismissed as fantasy.

Fortunately, not all his interpretations of pagan symbols were devoted to this theme. Many concerned hope for future life, and here he made some strong cases which secured acceptance.[22] But with his failure to demonstrate the prevalence of a belief in sacramental salvation the main structure of his argument was ruined. That the Jews *commonly* took over pagan symbols for a mystic significance which those symbols did not *commonly* have, is incredible. So the borrowing of these symbols cannot *commonly* be evidence of a mystic Judaism.[23] Individual mystics there doubtless were. Philo *may* have been one (though Goodenough's interpretation of him is by no means certain; contrast Wolfson!). But [59] the difficulties in the supposition of a *widespread, uniform* mystical Judaism are formidable. How did it happen that such a system and practice disappeared without leaving a trace in either Jewish or Christian polemics?[24] We may therefore turn from the main argument to incidental questions.

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[20] Nock, pp. 566, 731ff.; Smith, pp. 173f. The himation and chiton combination to which he attached mystic significance (*JS*, IX, pp. 131ff.) appears on a cobbler at work and purchasers in a clothier's shop in Ostia (W. Zschietzschmann, *Hellas and Rome,* London, 1959, pp. 194f.); his mystic striped chiton is worn by the orchestra and assistants in gladiatorial games (S. Aurigemma, *L'Italia in Africa, Le Scoperte Archeologiche, Tripolitania, I, I Monumenti d'arte decorativa, 1. I Mosaici,* Rome, 1960, plates 143f., 146, etc.). Note also Goodenough's dismissal of the apotropaic and sinister sides of ancient symbolism, Bickerman, p. 144, Smith, p. 173.

[21] *JS,* VIII, p. 220. See the comments of R. Grant, p. 279, and Bickerman, pp. 128, 139.

[22] Daniélou, pp. 599f.; Goossens, p. 231. Nock's contention that during the empire Roman funerary art was, as a whole, not concerned with future life (pp. 563f.) is hardly credible, especially for the later period, which is that of most of the Jewish material. See the cautious remarks of Momigliano, p. 245. I pass over the other themes in Goodenough's interpretation of pagan images, but call the reader's attention to Nock's (correct) remarks anent mother: In Philo, as in Judaism generally, the mother is the principle of law and punishment, not mercy; the great goddesses of antiquity were rather terrible than comforting, and maternity was rarely their most prominent attribute; many of them were worshipped principally by women. Mother's role as the savior of her son is, in classical religion, next to *nil* (pp. 563, 571).

To what extent were the motifs on Jewish material borrowed from the hellenistic world, to what extent did they come from Jewish or near-eastern tradition? Goodenough's attempt to derive the vine, lion, eagle, fish, and cup from Hellenism occasioned protests which, at least for the first two, seem partially justified.[25]

Why did the Jews borrow motifs from the pagan world? And why were certain motifs (e.g., sirens) almost never borrowed? Goodenough used the rarity of certain objects as evidence of selectivity and supposed the selection determined by their "values," an argument which won some agreement.[26] However, given the relatively small amount of preserved evidence, the absence of these motifs may be due to chance or fashion. The adoption of the ones which are found must be variously explained, as the circumstances of the individual borrowings indicate; the range of possibilities includes both thoughtless decoration and expression of hopes and beliefs also held by pagans.[27] The important thing, however, is that the same motif need not always be explained by the same motive.

The rarity of decorated material in Palestine before 70 was seen by Goodenough as a consequence of the influence of the Pharisees, and he took the increase of decoration after 70 as evidence of the decline of pharisaic-rabbinic influence. But the rabbis were more influential in Palestine after 100 than the Pharisees had been before 70.[28]

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[23] As Gutmann, pp. 34f., well observed, not everything non-"normative" is therefore "mystic."

[24] Nock, p. 568; Daniélou, p. 574; R. Grant, p. 280.

[25] Daniélou, p. 576; Jeremias, p. 504; Landsberger, p. 109; Marcus, p. 185; Mouterde, p. 263; Segert, p. 325; Smith, p. 263. But Goodenough did not wholly deny Israelite and near eastern sources, e. g., *JS,* XII, p. 136, on the lion.

[26] Guillaumont, p. 483; Smith, pp. 171f. (I have changed my mind).

[27] Bickerman, p. 136; F. Grant, pp. 62f.; Gusinde, p. 1013; Momigliano, pp. 245f. On economic reasons see Urbach, *op. cit. (supra,* n. 4), enlarging the suggestions of B. Cohen, "Art in Jewish Law," *Judaism* 3 (1954), pp. 165ff.

[28] Avi-Yonah, p. 198; Urbach, *op. cit.*, p. 151; Smith, p. 82; Roth, p. 182. J. Neusner, "Jewish Use of Pagan Symbols After 70 C.E.," *JR* 33 (1965), pp. 285ff., defends

Goodenough's error was based on the statements of Josephus, the reports in rabbinic literature, and the role of the Pharisees in the gospels. But Josephus was ignorant when he wrote the War, in the 70's, of the preeminence of the Pharisees which he reports in the *Antiquities,* completed in the 90's; between 80 and 90 he had evidently gone over to the Pharisees, and his [60] later statements are propaganda for them.[29] That the reports in rabbinic literature reflect wishful thinking is generally admitted.[30] The gospels do not consistently indicate that the Pharisees were the dominant party. In Q they appear in only one passage (Luke 11:39, 42 and //). In Mark they appear only in the *Streitgespräche* (2:1-3:6; 7:1-23; 8:11-21; 10:1-12; 11:27-12:40) which are among the later elements of this gospel.[31] The extension of their role in the other gospels is evidence of yet later polemic, reflecting their later rise to power. In all the gospels they are almost (or wholly) absent from the passion stories, which are probably the oldest and best preserved elements. They are also conspicuously absent from all save one of the early stories in Acts. So it would be plausible to see the lack of decoration in the earlier period as due to the influence of the Sadducean aristocracy, which took Exod 20:3 literally, and the increase in the use of figures after 70 as a consequence of increasing Pharisaic influence which, as Urbach has shown,[32] "interpreted" the prohibition of images so as to find more and more exceptions. However, other factors must be kept in mind. First, archeological evidence from Palestine before 70 is extremely limited (e.g., no synagogues); so the absence of certain motifs in that period may be happenstance.[33] Second, the change in Palestine is paralleled by the developments of Roman art in which decoration steadily increased. The sequence of fresco styles in Pompeii shows this clearly; so does the increase of pictorial mosaics in the later imperial period, the growth of florid architectural decoration, and so on. One of the major faults of Goodenough's method was his failure to relate the history of the Jewish material to the changes in contemporary pagan art.

Returning to the interpretation of the material: One of Goodenough's presuppositions was that since the Jews who produced these objects were "loyal" to Judaism they could not have worshipped

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Goodenough by picking out slight exaggerations in Urbach's wording, then neglecting the point at issue.

[29] M. Smith, "Palestinian Judaism in the First Century," above, chapter nine.

[30] E.g., by Neusner himself, A *Life of Rabban Yohanan ben Zakkai,* pp. 49-61.

[31] M. Smith, "The Jewish Elements in the Gospels," *JBR* 24 (1956), pp. 90ff., esp. 96.

[32] *Op. cit.,* (n. 4), pp. 154-end.

[33] Cf. Avi Yonah, p. 196: Another pre-70 menorah has turned up since Goodenough wrote.

any of the images. He did accept the material in the magical papyri as evidence of syncretism but was reluctant to relate it to the other images.[34] Margalioth's recovery of *Sefer ha-Razim,*[35] however, has given us a Hebrew text, written by a man steeped in the OT and the poetry of the synagogue, which yet contains prescriptions for making images and prayers to pagan deities, including Helios, who are conceived as gods [61] subordinate to Yahweh.[36] This text was widely copied in rabbinic circles. Accordingly it is possible that Helios on the synagogue floors represents a major deity to whom members of the congregation addressed prayers for practical purposes (though they hardly would have addressed them to *that particular* image, as few Christians would have prayed to the Christ in the mosaic on the dome of Byzantine churches).

Goodenough's supposition that the Jews gave their own interpretations to the symbols they borrowed is plausible and has been commonly accepted.[37] His reconstructions of their interpretations, however, being based on Philo, drew objections that Philo was an upper-class intellectual whose interpretations were undreamt of by the average Jew.[38] These, however, missed Goodenough's claim: Philo was merely one example of mystical Judaism, of which other examples, from other social and intellectual classes, were attested by the monuments.[39] For this reason also, objections that Goodenough misinterpreted Philo on particular points[40] did not seriously damage his argument; it was sufficient for him to show that Philo used expressions suggestive of a mystical and sacramental interpretation of Jewish stories and ceremonies.[41] The monuments *could* then show analogous developments independent of Philo. Some did, but most did not.

Beside Philo, Goodenough found evidence of mystic Judaism in occasional passages from other works of ancient Jewish literature,[42]

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[34] His final statement on the matter is in *JS,* XII, pp. 60f.

[35] The Hebrew edition is now in press in Israel.

[36] Cf. the subordinate gods in Clement of Alexandria, ed. O. Stahlin *(Die griechischen christlichen Schriftsteller),* II, pp. 256, 489, 507; III, 6, 10, 14, 41, 144.

[37] Most enthusiastically by F. Grant, pp. 62f., who compares the Jewish reinterpretation of the hellenistic religious vocabulary.

[38] Dinkler, p. 330; Ehrlich, pp. 93, 279; Gaster, p. 188; Gutmann, p. 34; Leon, p. 262.

[39] To this Nock, p. 562, agreed.

[40] R. Grant, p. 184; Momigliano, p. 239; Nock, pp. 528, 567; Smith, p. 84. Note Momigliano's remark that Philo's symbolism was basically biblical, that of Goodenough's Jews, not so (p. 243). Nock stigmatized a string of misinterpretations: pp. 525ff.: VI, p. 213 on *Plant.* 160ff.; VI, p. 203 on *Vita Mos.* 1.187; VI, p. 205 on *Somn.* 2.183; VI, pp. 208f. on *Cher.* 84ff.; p. 528, on eating the Logos; p. 567, on esoteric worship; p. 735: VII, p. 222 on *Abr.* 100-102.

[41] F. Grant, pp. 418f.; Mouterde, p. 342.

[42] Accordingly, Dinkler's objection that, except for Philo, Goodenough neglected all ancient literature from and about Judaism (p. 331) was an overstatement, and

[62] and in early Christian writings,[43] since he argued that Christianity could not have developed so rapidly had it not drawn on theology and symbolism already developed in hellenized Judaism. Similar arguments have been advanced by other scholars,[44] and Goodenough's (accepted by R. Grant, North, and van Puyvelde)[45] presents a most probable explanation of the facts. Further support for it is to be found in Goodenough's interpretation of the symbols drawn from Jewish cult, which found wide agreement[46] in spite of the fact that he sometimes pushed it to absurdity—for instance, by his refusal to see, in representations of the Torah scroll or Torah shrine, evidence for a religion of obedience.[47]

One reason for the acceptance of Goodenough's interpretations of the symbols drawn from Judaism was that he often supported them by quotations from rabbinic literature.[48] Yet he contended that "the

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Momigliano's reference to mystic Judaism as "not otherwise documented" (p. 248) was false. H. Chadwick, "St. Paul and Philo of Alexandria," *Bulletin of the John Rylands Library* 48 (1966), pp. 286ff., shows the far-reaching, but independent agreement of Paul and Philo, which may have come from a common background in mystical Judaism. It must be admitted, however, that Goodenough has neglected the main outlines of the pictures of Judaism given by works other than Philo. Only occasional details, useful for his thesis, are seized on and presented out of context. And even some of these occasioned justified complaints of misinterpretation: Bickerman, pp. 532f.; den Boer, p. 86; Nock, p. 525 on the interpretation of Josephus *Ant.* 14:213ff., in *JS,* VI, p. 206; Couroyer, p. 112, n. 1, on 1 Macc 13:29, in JS, VIII, p. 158; Nock, p. 730 on *The Rest of the Words of Baruch,* 7:18 in *JS,* VIII, p. 137; Bickerman, p. 533 on Shabbat 119a, in *JS,* V, p. 44; Nock, p. 567 on the Jewish material in the *Apostolic Constitutions.* R. Grant, p. 185, Nock, p. 568 on *Corpus Inscriptionum Judaicarum,* nos. 651 and 652, in *JS,* II, p. 146; Nock, p. 568 on *CIJ* 22, *ibid.;* Marcus, p. 45 on Dio Cassius 60, 6, in *JS,* I, p. 35, n. 7; Nock, p. 565 on πίε ζήσαις in *JS,* II, p. 117; Nock, pp. 565f.; Ferrua, pp. 240f. on the catacomb of Vibia and Vincentius, *JS,* II, pp. 46ff.

[43] His use of Justin's *Dialogue with Trypho* drew a number of objections. Baron, p. 198, opined that Trypho was a straw man and therefore useless as evidence concerning Judaism *(non sequitur);* Momigliano, p. 244, declared that, even if not a straw man, he showed no knowledge of Goodenough's system of symbolism.

[44] Leroy, p. 160, referring to Strzygowski, von Sybel, Becker, and Morey.

[45] R. Grant, p. 183, North, p. 311, van Puyvelde, pp. 325, 376, with especial reference to the development of Christian from Jewish art.

[46] Daniélou, pp. 575f.; Gaster, p. 188; Jeremias, p. 503; MacKenzie, p. 631; Nock, p. 562; van Puyvelde, p. 325. Objections: Ehrlich, p. 279, the menorah probably indicated a claim of the synagogue to succeed to the temple and house the Shekinah. Kayser, p. 57, Leon, p. 262, the menorah was merely a means of Jewish self-identification—but Goodenough was certainly right for some instances, see M. Smith, "The Image of God", below, n. 53. Kayser, pp. 58f., the shofar was not blown on the day of atonement before the high middle ages (because the Seder of Rab Amram does not provide for it). Gaster, p. 189, lamps, *shalom,* and perhaps the "throne of Moses" may be better interpreted from nomistic Judaism. Marcus, p. 183, the cherubim were probably associated with Solomon's temple. Smith, p. 220, the early Jerusalem tombs and ossuaries were made for the rich among whom were many Sadducees; it is therefore unlikely that their decoration usually indicates belief in a future life.

[47] *JS,* XII, p. 76.

[48] *JS,* IV, pp. 89f., 131f., 162f., 171-84, 200ff.; X, pp. 102f., 135.

rabbis" were opposed not only to images but also to mysticism; their religion was that of conformity and obedience, not mystical union;[49] therefore rabbinic literature does not reveal the reasons for the popular adoption of the mystical symbols.[50] Behind this contradiction lay his enthusiasm (especially in argument) which often led him into over[63]statement, but made his enormous work possible. This passionate concern for his subject was grounded in his experience: the intense religious enthusiasm of his youth (he had been not only "saved" but "sanctified") and his equally intense adult revolt against both the austerity of his Protestant background and the religion of conformity and respectability with which he collided at Yale. This personal conflict he projected onto ancient Judaism, partly as a result of his deep feeling about G. F. Moore, who aroused in him an ambivalence worthy of a father figure. Therefore, on the one hand, Moore was right; "normative" Judaism was as he pictured it, much like the normative, upper-class New England Protestantism of 1920: common-sense, respectable, law-abiding, moral, pharisaic, in a word, square. But also, Moore was wrong; "normative" Judaism was not normative. It was, like New England "society," a puritanic sect walled up in its self-made ghetto, while outside was the wonderful world of hellenized Judaism, mystic, artistic, and free.[51]

Consequently Goodenough had a personal resistance to the suggestion that any of his symbols should have come from Moore's rabbis. This was reinforced by his inability to read the rabbinic material[52] and consequent reluctance to admit its relevance. Therefore when rabbinic parallels to his interpretations were pointed out to him, he dismissed them as insignificant, and, in his final restatement, ignored their existence.[53] The resultant misrepresentation called forth many objections: that rabbinic Judaism was not uniform,[54] but contained a tradition of mystical practice,[55] as well as important hellenistic elements.[56] As Neusner said (p. 82), "The issue was not ... Hellenization, but rather how to appropriate, and accommodate oneself to, Hellenization... Goodenough might have seen both the mystic groups and the rabbinic groups as *modulations* of Jewish Hellenism." [64]

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[49] *JS,* XII, pp. 74ff.

[50] *JS,* IX, pp. 4ff. and Goodenough's article, "The Rabbis and Jewish Art in the Greco-Roman Period," *Hebrew Union College Annual* 32 (1961), pp. 269ff.

[51] The Christian roots of Goodenough's mystic Judaism were noted by Nock, pp. 571, 734; contrast van Puyvelde, p. 326, "Que les vues de M. Goodenough, juif convainçu, sur l'histoire du christianisme ne seront pas toujours entièrement équitable (tant il est vrai que pour juger d'une religion il faut la voire du dedans), n'etonnera pas le lecteur"! It is worth noting that Goodenough's contempt for "mere decoration" also comes from his Protestant background. If one must have pictures they should at least be *useful.*

[52] Contrast Willoughby's description of Goodenough as "both a competent Orientalist and an expert Hellenist at one and the same time" (p. 260).

[53] *JS,* IX, p. 7, n. 10, on M. Smith, "The Image of God," chapter ten above. On the menorah *JS,* XII, p. 82 is false. In Goodenough's own words, "To deny the existence of facts in this way is hardly a scholar's method of dealing with them" *(JS,* XII, p. 65).

[54] Abi-Yonah, p. 197; Bickerman, p. 131; Gutmann, p. 34; Neusner, p. 79; Smith, p. 220.

[55] Marcus, pp. 185f.; den Boer, p. 67; Momigliano, p. 239.

There are many elements in the haggadah[57] which may have either produced or resulted from pictures. Nevertheless, it is true, as Goodenough claimed *(JS,* IV, pp. 21, 24), that rabbinic literature would never have led us to expect the decorations of Dura or Beth Shearim or the Roman catacombs.[58] Therefore it seems likely that the varieties of Judaism which produced these various expressions[59] often differed greatly from those represented in rabbinic literature. One of the major results of Goodenough's work has been to produce general recognition of this fact.[60] In the words of Jeremias, "Eine neue Welt tut sich auf, ein Stück Volksreligion, ein Judentum neben dem rabbinischen und dem essenischen, eines, das wir in dieser Geschlossenheit bisher nicht kannten."[61]

As to how the various forms of this popular religion were related to the rabbinic authorities, opinions have differed. Goodenough supposed the relation one of hostility *(JS,* XII, p. 66).[62] Bickerman thinks the conflict not proved; he compares the contrast between early Christian art and the denunciation of images by the Fathers (pp. 249, 130f.). Hart (pp. 95f.) and Roth (pp. 179f.) remark that the people may [65] have, then as now, admired the rabbis without obeying them (a suggestion plausible because of the development all over the Romano-Persian world, at about this time, of double standards for the laity and the religious—monks and magi and Manichean clergy alike).[63] It seems probable that all these relationships sometimes occurred, and yet others beside; some talmudic authorities are said themselves to have made images.[64]

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[56] Bickerman, pp. 129f.; Gutmann, pp. 23f.; Marcus, p. 43.

[57] Marcus, p. 186, Smith, *op. cit. supra,* n. 53.

[58] Hart, p. 95; Leon, p. 262; MacKenzie, pp. 490, 629; Marcus, p. 44; Neusner, p. 80; Smith, p. 82.

[59] Goodenough claimed that the art was homogeneous throughout the empire (IV, p. 3) and found in this homogeneity evidence for a uniform theology of mystic Judaism *(JS,* IV, p. 60). MacKenzie, p. 490, and Mouterde, p. 342, found this claim correct, but Momigliano, pp. 244f., argued that, *after subtracting* the obviously Jewish symbols and the "merely decorative or vaguely suggestive" non-Jewish ones (victories, crowns, rosettes, etc.), the main monuments do not show a uniform system of symbols. This important question deserves a study to itself. My first impression, however, is that Momigliano is right. No doubt many of the same banal elements—vines and rosettes and wreaths and so on—turn up everywhere. But each of the main bodies of material (the Kidron tombs, the early ossuaries, Beth Shearim, the carved synagogues, the Palestinian mosaics, the Maccabean coins, the coins of the revolts, the Roman catacombs, Hammam Lif, the magical gems, Dura) seems to have its own vocabulary as well as its own style and to be saying—if anything—something peculiar to itself. (The "if anything" refers to the Kidron tombs and the ossuaries, of which I doubt that the decoration is usually symbolic.)

[60] By Avi-Yonah, pp. 197, 199; Baron, p. 197; Daniélou, p. 574; Ehrlich, p. 93; Gaster, p. 188; Hart, p. 93; Marcus, pp. 44f.; Neusner, pp. 90f.; Nock, pp. 561f.; van Puyvelde, p. 324; Segert, pp. 261f.; Smith, p. 82.

[61] Jeremias, p. 503. Yet after this Jeremias (p. 922) went on to declare that the symbols should be thought meaningless if no Jewish literary evidence could be found to determine their meaning! Clearly, the answer to the question, whether or not a picture has meaning, cannot be made to depend on the accidents of literary transmission. This sort of attitude did much to excuse (but not to justify) Goodenough's excesses in demanding that the interpretation be based on the pictures themselves, not the *testimonia.*

Here again the root of error is the attempt to explain a large body of varied material by a single formula. Among the diverse groups who in the Roman empire were called "Jews" by their neighbors and came to call themselves so, the percentage of those who were much concerned about the rulings of the rabbis at Jamnia, shortly after 70, was doubtless small. Later, as Josephus shows, it increased, thanks to Roman approval. About 130 there was a drop, and the recovery was slow. Even in Galilee in the time of Rabbi, as Büchler showed,[65] relations were strained between the landowners, the patriarchal house, and the poorer rabbis; patriarchal control was far from absolute, and congregational leaders who had popular support or could buy Roman protection did much as they pleased. Goodenough's theory falsifies the situation by substituting a single, antirabbinic, mystical Judaism for the enormous variety of personal, doctrinal, political, and cultural divergencies which the rabbinic and other evidence reveals, and by supposing a sharp division between rabbinic and antirabbinic Judaism, whereas actually there seems to have been a confused gradation. Here again he is the rebellious son of G. F. Moore.

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[62] Cf. Ehrlich, p. 278; Mouterde, p. 264; Neusner in both his review and the article cited above, n. 28. Ehrlich finds support for the position in the forced exegesis by which the rabbis had to justify the use of the symbols they did tolerate, but the rabbis also used forced exegesis to justify their own innovations.

[63] Further opinions: Gutmann, p. 35 (change of rabbinic position explained by alliance of the patriarchal house with Rome—not unlikely [but not sufficient]); Guillaumont, p. 484 (Goodenough exaggerates the difference, overlooking on the one hand Philo's acceptance of the second commandment, on the other, orthodox acceptance of illustration, as evidenced in the medieval manuscripts); Landsberger, p. 424 (the material shows rabbinic tolerance); Marcus, p. 45 (G.'s claim that the Palestinian rabbis had no control of the diaspora is a "gross exaggeration"); Nock, pp. 561f. (G. has made a good case against central control; considerable nonnormative literature may have been lost).

[64] Rabba made a homunculus, Sanhedrin 65b. The story is presumably false, but indicates what the storytellers were trying.

[65] A. Büchler, *Der galiläische 'Am ha 'Ares; The Political and Social Leaders of the Jewish Community of Sepphoris.*

In the preface to his last volume Goodenough wrote, "Scholars have repeatedly said to me, 'At least you will always be remembered and used for your collection of material.' ... I have not spent thirty years as a mere collector: I was trying to make a point." He was, and he failed. His pandemic sacramental paganism was a fantasy; so was the interpretation of pagan symbols based on it, and so was the empire-wide, antirabbinic, mystical Judaism, based on the interpretation of these symbols. All three are enormous exaggerations of elements which existed, but were rare, in early imperial times. [66]

Soit. Columbus failed, too. But his failure revealed a new world, and so did Goodenough's. Jeremias' praise was no exaggeration. The extent and importance of the Jewish iconic material was practically unrealized before Goodenough's collection if it. Informed opinions of ancient Judaism can never, henceforth, be the same as they were before he published. So long as the subject is studied and the history of the study is preserved, his work will mark an epoch.[66]

ADDITIONAL NOTE 1.

W. Albright, 139, pp. 23f., on vols. I-III (unimportant).

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A. Barb, *Antiquaries' Journal* 36 (1956), pp. 229ff., on I-IV; 38 (1958), pp. 117., on V-VI; 39 (1959), p. 301, on VII-VIII.

S. Baron, *JBL* 74 (1955), pp. 196 99, on I-III.

E. Bickerman, *L'Antiquité classique* 25 (1956), pp. 246ff., on I-IV; 26 (1957), pp. 532f., on V-VI; 28 (1959), pp. 517f., on VII-VIII; "Symbolism in the Dura Synagogue," *HTR* 58 (1965), pp. 127ff., on IX-XI.

W. den Boer, *Mnemosyne,* Ser. 4, 12 (1959), pp. 85ff., on V-VI; 14 (1961), pp. 66ff. on VII-VIII.

D. Botterweck, *Theologische Quartalschrift* 137 (1957), pp. 210f., on I-VI (unimportant).

F. Buck, *CBQ* 27 (1965), p. 191, on IX-XI (unimportant).

B. Couroyer, *RB* 67 (1960), pp. 107ff., on VII and VIII; 72 (1965), pp. 310ff., on IX-XI (this latter I have not seen).

J. Daniélou, *Recherches de science religieuse* 45 (1957), pp. 571ff., on I-VI; 48 (1960), pp. 598ff., on VII and VIII.

C. Delvoye, *Latomus* 14 (1955), pp. 494ff., on I-IV; 18 (1959), pp. 484ff., on V-VIII (unimportant).

E. Dinkler, *ThRd,* NF 21 (1953), pp. 329ff., on I-III.

E. Ehrlich, *ZRG* 9 (1957), pp. 277ff., on I-VI; 12 (1960), pp. 92-94, on VII-VIII.

A. Ferrua, *Rivista di Archeologia Cristiana* 30 (1954), pp. 237ff., on I-III.

K. Galling, *Zeitschrift des deutschen Palästina-Vereins* 70 (1954), pp. 182f., on I-III (unimportant).

T. Gaster, "Pagan Ideas and the Jewish Mind," *Commentary* 17 (1954), pp. 185ff., on I-III

G. Goossens, *Revue belge d'archéologie* 22 (1953), pp. 268f., on I-III, 24 (1955), pp. 125f., on IV (these two are unimportant); 25 (1956), pp. 251f., on V-VI; 27 (1958), pp. 231, on VII-VIII.

F. Grant, *JBL* 79 (1960), pp. 61ff., on VII-VIII; 83 (1964), pp. 418ff., on IX-XI.

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[66] See ADDITIONAL NOTE 2.

R. Grant, *ChH,*23 (1954), pp. 183ff., on I-III; 24 (1955), pp. 279f., on IV; 26 (1957), pp. 292, on V-VI; 29 (1960), pp. 94ff., on VII-VIII.

A. Guillaumont, *Revue des études anciennes* 59 (1957), pp. 482ff., on I-VI; 62 (1960), pp. 542ff., on VII-VIII.

M. Gusinde, *Anthropos* 49 (1954), pp. 1145ff., on I-IV; 52 (1957), pp. 311ff., on V-VI; 54 (1959), pp. 1012ff., on VII-VIII.

J. Gutmann, *Studies in Bibliography and Booklore* 3 (1957), pp. 33ff., on V-VI; *The Reconstructionist* 31 (1965), pp. 20ff., on IX-XI.

H. Hart, *JThS* 7 (1956), pp. 92ff., on I-IV.

S. Hooke, *JThS* 9 (1958), pp. 117ff., on V-VI; 11 (1960), pp. 371ff., on VII-VIII (unimportant).

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S. Kayser, *Review of Religion* 21 (1956), pp. 54ff., on I-IV.

F. Landsberger, *AJPh* 76 (1955), pp. 422ff., on I-IV; 78 (1957), p. 450, on VI-VII; 81 (1960), pp. 108f., on VIII-IX.

[67] H. Leon, *Archaeology* 7 (1954), pp. 261f., on I-III; 9 (1956), p. 154, on IV; 11 (1958), pp. 135f., on V-VI; 13 (1960), p. 155, on VII-VIII (last three unimportant).

J. Leroy, *Cahiers Sioniens* 9 (1955), pp. 157ff.

R. MacKenzie, *CBQ* 16 (1954), pp. 489ff., on I-III; 17 (1955), pp. 629-31, on IV; 20 (1958), pp. 264ff., on V-VI.

R. Marcus, *ClPh* 52 (1957), pp. 43ff., on I-III; pp. 182ff., on IV.

A. Momigliano, *Athenaeum, NS* 34 (1956), pp. 237ff., on I-IV.

R. Mouterde, *Mélanges de l'Université Saint-Joseph* 31 (1954), pp. 341ff., on I-IV; 34 (1957), pp. 262ff., on V-VI.

H. Musurillo, *ThS* 15 (1954), pp. 295ff., on I-III; 25 (1964), pp. 437, on IX-XI.

J. Neusner, "Notes on Goodenough's *Jewish Symbols,*" *Conservative Judaism* 17 (1963), pp. 77ff., on I-VIII.

P. Nober, *Biblica* 36 (1955), pp. 549ff., on I-III; 38 (1957), pp. 364ff., on V-VI; 41 (1960), pp. 430ff., on VII-VIII; 46 (1965), pp. 96ff., on IX-XI (not seen).

A. Nock, *Gnomon* 27 (1955), pp. 558ff., on I-IV; 29 (1957), pp. 524ff., on V-VI; 32 (1960), pp. 728ff., on VII-VIII.

R. North, *Orientalia, NS* 25 (1956), pp. 310ff., on I-IV; 26 (1957), pp. 180f., on V-VI; 35 (1966), pp. 201ff., on IX-XI.

C. van Puyvelde, *Recherches de théologie ancienne et médiévale* 21 (1954), pp. 324ff., on I-IV; 24 (1957), pp. 375ff., on V-VI.

H. Rosenau, *Journal of Jewish Studies* 8 (1957), pp. 253 (unimportant).

C. Roth, *Judaism* 3 (1954), pp. 179ff., on I-III.

S. Sandmel, *JBL* 77 (1958), pp. 380ff., on V-VI (unimportant).

Sed-Rajna, *Revue des Études Juives* 3 (1964), pp. 533f. (not seen).

S. Segert, *Archiv Orientální* 23 (1955), pp. 256ff., on I-III; 24 (1956), pp. 157ff., on IV; 26 (1958), pp. 322ff., on V-VI; 28 (1960), pp. 704ff., on VII-VIII.

M. Smith, *ATR* 36 (1954), pp. 218ff., on I-III; 37 (1955), pp. 81ff., on IV; 39 (1957) pp. 261ff., on V-VI; 42 (1960), pp. 171ff., on VII-VIII; *Classical World* 59 (1965-6) p. 13, on IX-XI.

H. Strauss, *Judaism* 7 (1958), pp. 178f., on IV-VI (not seen); 8 (1959), pp. 374f., on VII-VIII.

M. Thelen, *JBR* 32 (1964), pp. 361ff., on IX-XI (unimportant).

L. Vincent, *RB* 62 (1955), pp. 104ff., on I-III; pp. 428ff., on IV; 64 (1957), pp. 593ff., on V-VI.

H. Willoughby, *JNES* 15 (1956), pp. 121ff., on I-IV; 17 (1958), pp. 158f., on V-VI; 20 (1961), pp. 260ff., on VII-VIII (unimportant).

S. Zeitlin, *JQR* 45 (1954-5), pp. 66ff., on I (unimportant).

ADDITIONAL NOTE 2.

Almost all the collected material is contained in vols. I-III and IX-XI. Because of the importance of the collection I think it worth while to list here the more important of the items which have been challenged:

Avi Yonah, pp. 195f., lists as "non-Jewish" the Beit Jibrin tombs, the shaft graves near the Nablus Road, the Marissa tombs, the objects in vol. III, figs. 198, 262, 268, 285, 338, the Beit Nattif lamp (I, p. 157), the Gophna sarcophagus (I, p. 138), the lamp from Ophel (I, p. 155), and that from Silat ed Dahr (I, p. 159). Fig. 82, the "fruit dish" is a bearded face.

Barb, p. 230: II, pp. 269, 273 for "Isis and Hathor" read "Isis and Nephthys"; II, p. 200, and VIII, p. 172 for "Liliam" read "Laïlam"; II, p. 221, for "stone" read "lead"; III, fig. 1198 is a copy of C. Bonner, *Studies in Magical Amulets,* pl. XXIV, fig. 5. Barb, p. 301: VII, fig. 155 is probably a recent forgery; VIII, fig. 30 has nothing to do with Christianity.

Bickerman, p. 142, on IX, p. 22, remarks that the *Passio Quatuor Coronatorum* should now be read in H. Delehaye, *Acta Sanctorum, Nov.* 3 (1910), p. 765, with D.'s commentary: Goodenough has mistranslated it; the *philosophos* was not a master of symbolism but an engineer in charge of the stone cutting.

[68] den Boer, p. 68; Nock, p. 729: JS, VIII, p. 11 mistranslates Plutarch 766 B; the rendering "pudendum" instead of "meadows" is indefensible.

Daniélou, p. 601: VIII, p. 160, of G.'s two citations from Hippolytus one is apocryphal, the other, from Callixtus.

Ferrua, pp. 239ff.: III, p. 819, the pieces of sarcophagi from the Randanini catacomb are not Jewish, neither are most of Goodenough's small objects. III, Fig. 856 is probably pagan, and so is everything from the catacomb of Vibia. It must be said that Ferrua was motivated by a concern that neither Judaism nor Christianity should "inquinare il suo patrimonio" with improper objects (p. 238). He thought the prevention of this more important than the loss of a little evidence (!, *ibid.)* and therefore resolutely ruled out as "intrusive" everything in Jewish and Christian catacombs which did not satisfy his notion of "orthodoxy"—everything "heterodox" had fallen in through the air holes! His opinions on these matters, therefore, need not be taken seriously. Compare the amusing contention of Kayser, pp. 55f., that symbols used as Goodenough supposed should not be called "Jewish symbols" but "symbols used by Jews."

Nock, pp. 529f.: VI, p. 82, Aristaenetus is credited with what is actually a scholiast's remark and the passage is therefore wholly misunderstood. VI, pp. 114ff., the Syriac Liturgy of the Nile is a corrupt expansion of a Greek text in which "O holy one of God" refers to the patriarch of Alexandria. Nock, p. 735: VII, p. 213 misinterprets Origen *PG,* XIII, 1820=*GCS,* XXXV, 57 which is mere moralizing; VIII, p. 49 misinterprets Apuleius, *Metamorphosis* 11, 8, the fowler and fisher were not in the Isiac sacred procession; VIII, p. 64, the statuette with *soter kosmou* on its phallus is of dubious authenticity.

North, p. 314, Vincent, p. 105: I, p. 81 misdates the Kidron valley tombs; they are third, not first, century B.C. This opinion, however, is an idiosyncrasy of Vincent's.

Vincent, pp. 105ff.: I, p. 76 thinks a Roman necropolis in Jerusalem pre-Maccabean. Dickie's account of the frescoes is correct. I, p. 84, the sole example of a triple entry to the later tombs is in a fanciful restoration by Dalman. The Marissa tombs were not Jewish before the time of Hyrcanus.

Segert, p. 159: IV, p. 127 and fig. 88, *shabu'ot* refers not to *oaths* but to the feast of *weeks.*

For alleged misinterpretations of Philonic passages see above, n. 40; of passages from other Jewish texts, n. 42.

The evidence most often impugned was that of the spells and amulets, use of which was declared unjustified by Ferrua, p. 239, Dinkler, p. 336 and R. Grant, p. 185; dubious by Bickerman, p. 249, Gaster, p. 190, Mouterde, p. 342, and Leon, p. 262; justified by Barb, p. 229, van Puyvelde, p. 325, and Roth, p. 181. Nock, pp. 569f., thought it justified in principle, but believed Goodenough had included important non-Jewish pieces. The question of principle is now settled beyond dispute in Goodenough's favor by Margaliot's discovery of *Sefer ha Razim* which demonstrates that magic of the type familiar from the Greek papyri was adopted and perpetuated by writers in the rabbinic tradition. It remains possible that some few of the pieces used by Goodenough were not Jewish in origin, but this possibility will not substantially affect the argument.

CHAPTER FIFTEEN

THE WORK OF GEORGE FOOT MOORE[1]

[169] I am sensible not only of the honor of being asked to speak on the work of George Foot Moore, but also of the danger of accepting the invitation. To discuss the achievements of an enormously learned man, a man of untiring industry and, by all accounts, of prodigious memory, who devoted a long lifetime to learning, is a first-rate opportunity of displaying one's own ignorance. Even Rabbi Yohanan ben Zakkai lamented that from the vastness of his teachers' wisdom he had taken away no more than a fly does when it dips in the sea. And since the extent of human knowledge so far exceeds any human being's capacity to learn, the new learning of each new generation is apt to be at best coextensive with its new ignorance. We cannot learn more than our teachers, nor even, when our teachers were men like Moore, can we learn as much. Our criticism of their work, accordingly, must be justified, if it can be justified at all, by difference, not excess, of knowledge.

In the present case, I run a further danger in speaking of Moore and his work from the circumstance that I never knew him personally, although many of you did. He died in the midst of his eightieth year in 1931, the year before I entered the College. He had continued teaching, however, to the age of seventy-six (in those days questions of professorial retirement were settled by consideration not of actuarial data, but of actual facts). Consequently many students less than a decade older than I had been his pupils, and most of the teachers from whom I learned most in the Divinity School—Cadbury, La Piana, Pfeiffer, Wolfson—had learned from him. From these sources, then, I first learned the Moore tradition, and found it a remarkably simple one. It was almost entirely concerned with the amazing extent of his erudition. There were very few *personalia*—one or two crushing retorts, the famous epigram on the Moore brothers ("There go a gentleman and a scholar"), and that was that. The other stories—and [170] they were many—were all of them accounts of the *mirabilia* of his learning. Thus, to judge from the oral tradition as it reached me during my days in Divinity School half a dozen years after his death, Moore had made himself, in the thought of the University, the symbol of scholarship. In him had been embodied that concern for learning which should be the core of every university. I have spoken of this first because the impact of a man on the community in which he works is that part of his achievement most easily overlooked and most quickly forgotten, but by no means least important (particularly when the community happens to be a great university, one of the nerve centers of an enormous nation).

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[1] An address delivered on 21 April 1966 at the 150th Anniversary Convocation of the Harvard Divinity School.

Of course, Moore's impact on the community had been far more various and more specific than that effected by his embodiment of the academic ideal. The picture given me by oral tradition showed only the last phase of a ministerial and teaching career extended over more than fifty years, of which almost twenty were spent at Andover Theological Seminary as Professor of Hebrew, and almost thirty at Harvard as Professor of the History of Religion. Throughout this long career, Moore had always been active in academic affairs beyond the limits of his teaching. At Andover, particularly, he had been one of the mainstays of the *Andover Review* and its editor for almost ten years. At Harvard he did most of the work for the foundation of the *Harvard Theological Review* and was for some years its editor, as well as one of its most important contributors. The memorial minute prepared by Kittredge, Ropes, and Robinson for the *Harvard University Gazette* (1932, p. 106) reports that in the Faculty of Arts and Sciences "he served on important committees and was for many years a member of the Administrative Board of the Graduate School. He was also a member of the Library Council, and was much relied upon as a Syndic of the University Press.... In the Faculty of Divinity he was actively concerned with the negotiations with Andover Theological Seminary which led to the affiliation and later to the union of that institution with the Harvard Divinity School.... until ... 1926. He took his full share of the administrative work of the Divinity Faculty, and his service has left important results, especially in the organization of the general examination for the degree of Bachelor of Divinity, and in the institution of the higher degrees of Master and Doctor of Theology. In all these developments the influence of his ideas was controlling." [171]

Given this variety of Moore's concerns and the length of his active career, there can be no question here of discussing his achievements in detail. Yet the details should not be forgotten. Historians have a tendency to look for innovations and record them as important but to overlook the less spectacular and more important day-to-day labor of preserving routines and carrying on the functions of institutions already established. Yet even in the most revolutionary generation the amount of change is negligible by comparison with the preservation of established routines on which every society depends for its very existence; and the answer to the question, how well these routines are carried on, is a major determinant of the health of any society.

Therefore, although we cannot accurately estimate the importance of Moore's day-to-day work as teacher and committee member and counselor, we must record it. And those who know more of the personal history of that period than I do could certainly add much to the record, particularly on the subject of Moore's selection and sponsorship of younger scholars—a most important part of the maintenance of any learned tradition. I remark only that among the younger colleagues whose assistance he acknowledged in his published works were George La Piana, Charles Torrey, and Harry Wolfson.

My emphasis on Moore's day-to-day work should not be taken as implying that he had no part in significant changes. Particularly significant was his work as a historian of religion, and his close connection with the Harvard Faculty of Arts and Sciences as well as the Divinity School. These were elements of a great change which was taking place in American scholarship at that time—the recognition of religion as one of the humanities, a proper subject of humane study as well as professional training. With this went also a recognition of the essential unity of the world's religions as various forms of a single subject, religion, which can be studied in each of them and should be studied by consideration of them all.

For the American academic world this distinction between religion *in genere* and its particular instances and interpretations (the various religions actually to be found in the world) is of the greatest importance because of the basis it provides for the introduction of religion into the college curricula of universities where the subject otherwise would be either quarantined in a special school of professional "divinity" or represented by the university chaplain as a matter of moral and social rather than academic concern, a matter for practice rather than [172] study. As distinct from the chaplain and the professor of theology, a new social type, the professor of religion, now begins to appear. And the aforementioned recognition that religion is one of the humanities, a part of "the proper study of mankind," provides the justification for this non-sectarian and non-professional presentation of the subject to college students. I do not wish to suggest that these general changes were brought about solely by Moore, but the influence of what he was doing at Harvard, as an example for the other universities of the country can hardly be overestimated.

It would be easier to overestimate the importance of these academic developments for the general national attitude towards religion and in particular for the rise of the œcumenical movement. It is clear on the one hand that the conception of the several sects and even of the several major religions as being various forms of one "religion" provides a general intellectual foundation for particular œcumenical projects. On the other hand it is also clear that the actual œcumenical projects in this country have often been independent, not to say ignorant, of this intellectual foundation, and both they and it are to a great extent results of a practical, detached attitude towards religious differences which had already developed in the eighteenth century. Therefore I am anxious not to exaggerate this aspect of the consequences of Moore's work, but I do think it right that it should be mentioned.

The essential work of a scholar, however, is scholarship and, as emphasized at the beginning of this lecture, in Moore's career his scholarship seems to have been the basis of all his other achievements. It was to his scholarship that he owed his position and his influence. It was as a scholar that he imposed his image on the imagination and memory of the university community. And that side of his work which remains most distinct for us today is the embodiment of his scholarship in his books and articles and the long series of critical reviews by which he made himself, for students of the Old Testament and of Judaism, almost an embodied conscience.

His scholarly work falls by content into three parts: first his studies of Old Testament subjects, which occupied him during his years at Andover and of which the publication continued during his first years at Harvard; then his general studies on the history of religion, which must have taken much of his time from 1905 to 1919; and finally his detailed study of Tannaitic Judaism, based, of course, in part on earlier reading, but actually produced during the last twelve years of his life. [173]

From his Old Testament studies we have a long series of articles and reviews, chiefly in the *Andover Review,* the *Journal of Biblical Literature,* the *Journal of the American Oriental Society,* and the *Encyclopaedia Biblica,* as well as his critical edition of the Hebrew text of Judges in the Polychrome Bible and his great commentary on Judges in the *International Critical Commentary.* The characteristics of his work which appear in these are unvarnished clarity of style, robust common sense, and mastery of all the information available about the subject under discussion. The commentary on Judges in particular is outstanding for its careful examination of the textual evidence and its constant attention to ancient and mediaeval and renaissance commentators, as well as those of the reformation and of more recent times. Although published in 1895, almost three-quarters of a century ago, it is still the most valuable commentary on the text.

This is not to say that Moore's analysis of the sources behind the text, let alone his reconstruction of the history behind the sources would command universal acceptance today. Nor is it to deny that his book now needs additions in a great many places and corrections in more than a few. Of course the past seventy-five years have seen an immense accumulation of data concerning Palestinian archaeology, Ugaritic religion, and Semitic linguistics, which should be taken account of in a new commentary. But with the exception of the linguistic material these matters are secondary. The primary problem of Biblical criticism is to know what the text says, what words it uses, and how these words (and the passages they compose) are related to one another in grammar, in content, and in style. When I look for answers to these primary questions I still find Moore consistently the most useful commentator.

And even in linguistic matters I am often inclined to trust his explanations, based on the primary versions and on later Hebrew usage, rather than conjectures which appeal to Akkadian and Ugaritic. Because of the extreme poverty of ancient Hebrew material, where the Bible is almost all we have left from the literature of almost a thousand years, exegetes of the Old Testament are forced to turn constantly to cognate languages, and too often forget that the primary context of any text is its own language. Explanation of difficulties in Judges by the discovery of related expressions in Ugaritic poetry and Akkadian legal documents from the middle Bronze Age have no better justification than would explanations of difficult passages in Shakespeare by [174] the discovery of related expressions in the Niebelungenlied and the Codex Justinianus. That they have more acceptance is due to the fact that the unfortunate Semitic linguists find nothing better to use. For the same reason they are forced to suppose the survival, sometimes for a thousand years or more, of minor linguistic traits, and their transportation, without substantial change of significance, from one culture to another. Yet the same commentators readily suppose that the meanings of many Hebrew expressions were entirely forgotten in their own culture during the three or four centuries which separate the present Hebrew text of Judges from the Septuagint translation! From such general considerations, of course, conclusions cannot be drawn to particular cases. Each case must be considered on its own merits, and there will certainly be some exceptional ones, but as far as the general argument goes, I think Moore has the better of it.

As for the questions of source analysis, which I put aside a moment ago, there too I find Moore's theories usually more plausible than the alternatives proposed since his time. The childish protest against the application of source analysis to the books of the Old Testament has now, I think, blown itself out. In the case of Judges, especially, the differences both of style and of content between the framework and the stories are so clear and so consistent that any attempt to deny the composite structure of the book is simply absurd. Moreover, the date of the framework seems to me pretty well fixed by its resemblance to

Deuteronomy and the resemblance of Deuteronomy to Jeremiah. Jeremiah is the dated element. The styles of certain fixed literary forms—law codes, prayers, hymns, and so on—may be perpetuated by convention over centuries. But we have enough Israelite prophecies to know that the style of prophecies was *not so* fixed. On the contrary, each of the major prophets writes in a highly individualistic style. And to suppose that Jeremiah—of all the prophets!—was a sort of Edmund Spenser, laboriously concocting his passionate prophecies in an archaizing jargon imitative of documents composed three hundred years before his time, is utterly implausible. Jeremiah's style, therefore, gives us a relatively fixed date for the preaching material of Deuteronomy, which, so far as it is original, must come from approximately the same period (say fifty years fore or aft—I should not pretend to date literary styles with the fantastic precision with which pottery styles are sometimes dated). Accordingly, I find Moore's date for the deutero-Deuteronomic framework of Judges completely plausible. As [175] for the details of his analysis—the dating of the stories and their assignments to the schools of writers (J and E) whose work was preserved in the Pentateuch, Moore himself was skeptical about these matters, and the alternative proposals which have been made since his work appeared would, I think, have only increased his skepticism, as they have mine. I must plead guilty also to a similarly skeptical attitude anent the historical problems raised by Judges. Here again, I find Moore's theories usually at least as defensible as the alternatives proposed by later interpreters. I am sure such suspension of judgment will be called hypercritical by the hypercredulous. But this is a subject I shall not now further discuss, since I think I have said enough to indicate both my evaluation of the commentary on Judges, and the general lines on which I should defend it.

The *History of Religions,* the main work of Moore's middle period, has never enjoyed the authority of his work on the Old Testament and on Judaism, and has therefore never been an object of much controversy. It is admittedly a masterpiece of condensation. The clear, flat, matter-of-fact style continues with hardly a superfluous word. Every inch of type is packed with material selected from an enormous reading not only of secondary works, but also of primary sources. Consequently, even when it deals with religions outside Moore's field of special competence, it is not merely a derivative work. Moore is always exercising his own judgment, and although his judgment normally leads him to follow the best available scholarly opinions, he himself reshapes these opinions, now more, now less, by the exercise of his common sense and his strong prejudice in favor of what may be called "aristocratic liberalism."

Of this prejudice, Moore himself was well aware. He both stated and defended it with his usual clarity (vol. II, p. xi):

> It is primarily the religion of intelligent and religious men that is [here] described.... Such men are always the minority, but they are the true representatives of their religion in any age, teachers and examples to their fellows. No religion has ever succeeded in bringing all of its adherents to its standards of right living ... and in the highest religions the gulf between the intellectual and moral leaders and the superstitious and depraved sediment of society is widest. But it is not from ignorance and superstition that anything can be learned about a religion; at that end they are all alike. The strength and the limitations of this position are alike obvious.

Somewhat less obvious but equally important are the limitations in[176]dicated by the title of the work, *History of Religions,* in the plural. It should by rights have been "Histories of Religions," for the histories, even those of Judaism, Christianity, and Islam, are almost entirely separate. In any one of them references to other religions are rare save when necessitated by some historical encounter, usually a conflict. Of course Moore was aware that religions can be classified by types, that those of the same type commonly develop along similar patterns and decline because of similar failings; he himself occasionally refers to such types and patterns. But he chose to write the histories of individual religions rather than the natural history of religion as a form of human behavior. His choice may have been determined not only by his training but also by the consideration that the histories of the religions are logically prior to the history of religion. Before we can safely generalize about the species we must have full and reliable life histories of individual members. Of such life histories Moore undertook to provide the outlines, and deliberately left for other students the comparison and the discovery of general rules of development and decline.

The wisdom of this decision can be seen from the fate of his last major work, his account of Judaism "in the first centuries of the Christian era, the age of the Tannaim," of which the two volumes of text appeared in 1927, the appendices and additional notes in 1930. It was immediately acclaimed a masterpiece, and deservedly so. I suppose no other Christian author has ever written of Judaism from a knowledge at once so extensive and so critical of the entire range of Israelitic and Jewish literature. And I am sure that no comparable Christian work on Judaism has been written with so much sympathy, so earnest an effort to see the religion from the viewpoint of its own people, to adopt their scale of values and to discover valid reasons for their practices and beliefs. In this effort, as well as in his study of rabbinic and later literature, Moore had enjoyed the invaluable guidance of Professors Solomon Schechter and Louis Ginzberg of the Jewish Theological Seminary, and his viewpoint is often so close to that of these great conservative Jewish scholars that if I were speaking in midrashic style, where Esau is the recognized symbol of the European gentile, I might apply to it the words of Isaac and say, "The hand is the hand of Esau, but the voice is the voice of Jacob."

In this respect Moore's book was the opposite of the tendentious accounts of Judaism which had been given by previous Christian writers [177] on the subject, writers whose works Moore had surveyed in a crushing article in the *Harvard Theological Review* 14 (1921) 197ff. Where they had been concerned to contrast the prophetic tradition of ancient Israel with the legal observance of Judaism, and to glorify Christianity as the fulfillment of prophecy and the true perpetuation of the prophetic religion of the spirit, Moore is concerned to demonstrate the compatibility and equal antiquity of the law and the prophets, and to show that Judaism is the legitimate child of both these parents, the true perpetuation of the ancient religion of Israel. Christianity appears by contrast as a heretical sect, engendered by apocalyptic enthusiasm. To its exclusive orthodoxy, based on agreement in dogma, is opposed the inclusive catholicism of "normative" Judaism, innocent of credal requirements, and demanding only agreement in practice.

Liberal Christianity in America was ready to accept this account, and liberal and conservative Judaism of course welcomed it. So Moore's book has had an enormous influence for good in presenting to Christians a sympathetic and superbly informed account of early Judaism, and in presenting to American Jews an idealized picture of their religion in its classical period, a picture all the more impressive because it was not written by a Jew. Of the two sides of this influence, I think that on Judaism has perhaps been deeper and more important.

All this influence resulted in large measure from the nobility of Judaism as Moore portrayed it, and this, in turn, resulted from his principle, stated above, that the true account of any religion is to be drawn from the writings of its most devout and intelligent adherents. To this he added, in composing *Judaism,* the further principle that the true picture of a religion must be drawn chiefly from those documents which it accepts as authentic *(Judaism* I. 125). This supposes, obviously, that the religion has not changed substantially in the course of its history. If what was once a minority party has subsequently won control, and if the works of a former majority have been lost by neglect or by suppression, then the documents now accepted as authentic—the propaganda of the former minority—will give a seriously false picture of earlier times. Indeed, even if the triumphant party was one of the major parties aforetime, but was then matched by equally important competitors, there is a danger that it will now represent itself as the one true form of the earlier religion, and dismiss the other ancient forms, which, in their day, had equal claims to legitimacy, as heretical sects. [178] In doing this it will of course appeal to its success and survival as proof that it was right.

Now I think it can be shown that this has happened in the history of Judaism and of the religion of Israel not once but repeatedly. The prophets, if we take them at their own words, unquestionably expressed the position of a minority. The history of occasional reforms under the monarchies is best explicable by the supposition of a minority party which only occasionally and for short periods was able to control the government. I have argued elsewhere that this reform party did not gain permanent control of the temple until the time of Nehemiah, and that even then important groups, especially among the priesthood, remained in opposition. The *façon de vivre* thus established was overthrown at the time of the Maccabean revolt, when another minority came to power and drove out the traditional priesthood. But the Maccabean party never succeeded in winning the support of all Israel. Beside the exiled supporters of the legitimate priesthood, who set up their own temple in Egypt, the northern Israelites continued to worship at Gerizim rather than Jerusalem. We know of another temple in Transjordan, and the communities of the diaspora evidently went their own ways, which were sometimes strange ones. To our knowledge, even within Judea the Maccabean party met serious opposition from the Pharisees and the Essenes, and perhaps from other groups. When the Maccabeans were driven out by Herod, control of the official religion passed to the high priests whom he and his successors, the Roman procurators, appointed, while Pharisees, Essenes and other parties, including, soon, the followers of Jesus, were all in opposition to the government and in competition with each other. That the Pharisees had the largest influence with the people during this period is asserted by Pharisaic sources, but seems unlikely. At any rate, they were unable to prevent the revolt against Rome in 66, and it was only after the revolt, with Roman support, that they became clearly preeminent among the Palestinian parties, while the followers of Jesus, apparently, were winning over much of the diaspora. And even within the Pharisaic party, the controlling factor, that of the Hillelite house, may have been a minority vis-à-vis the Shammaites before 70, and was certainly pushed into the background by an eschatological anti-Roman wing, led by Akiba, in the years before 130. It is the rabbinic literature canonized by this Hillelite party, after its recovery of power, that Moore took as "normative" not only for the time when it was canon[179]ized, but for the preceding centuries. The main thing wrong with his great work is its title; he should not have called it "Judaism in the first centuries of the Christian era, the age of Tannaim," but "Tannaitic Judaism of late second and third centuries A.D." Of this Judaism or, at least, of its Stoic and rationalistic side, which was perhaps its most important side, the work is a masterly exposition. And it is perhaps even greater as an exposition of Moore's own religion, the Pharisaic Puritanism which contributed much to the greatness of America and particularly to the tradition of American scholarship. To that tradition, its conscientiousness and consequent self-righteousness, its austerity and consequent accomplishments, we are indebted beyond expression. For better or for worse, its training has formed our minds, and we are united to it in the indisoluble communion of the intellect, which is the communion of the Pharisaic saints.

CHAPTER SIXTEEN

ZEALOTS AND SICARII, THEIR ORIGINS AND RELATION

[1] It has long been the common opinion that the Zealots were the party founded by Judas the Galilean—so Graetz and Jost, for instance, writing in the middle of the past century.[1] Derenbourg, it is true, observed that the term "Zealots" was not applied to the opponents of the Romans before the revolt, but when he came to the events of the revolt he made a descendant of Judas, Menahem, the leader of the Zealots and so apparently assumed the connection of the party with Judas.[2] Schürer's adherence canonized the common opinion, and also the common description of the *Sicarii* as a more fanatical fraction of the party—though the sources contain nothing to suggest that the party had split before the Sicarii appeared.[3] Hence, with only minor variations, Eduard Meyer,[4] Bousset,[5] Baron,[6] and Yadin's account of the Zealots in Masada,[7] to name only the largest studies.[8] [2]

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[1] H. Graetz, *Geschichte der Juden,* 5 ed., ed. M. Braun (Leipzig, 1900-1905), III.i, 250, 258; III.ii, 431f., 458ff.; J. Jost, *Geschichte des Judentums und seiner Secten, I Abt.* (Leipzig, 1857), 327, 436, 443. Jost differs with Graetz by denying the Zealots' relation to the Shammaites (p. 327) and in other details, but accepts the connection of the party with Judas.

[2] J. Derenbourg, *Essai sur l'histoire et la géographie de la Palestine, ... I, Histoire de la Palestine ...* (Paris, 1867), 195 n. 2; 238f.; 260f.; 472f.

[3] E. Schürer, *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi,* 3-4 ed. (Leipzig, 1901-1911), 4 vols.; I, 486f. (with bibliography); 573ff, etc.; I, 487 n. 139 is contradicted by III, 300—the author of *The Assumption of Moses* was not a Zealot, after all.

[4] *Ursprung und Anfänge des Christentums* (Stuttgart, 1921), 3 vols.; II, 402ff. (contrary to Schürer, Judas the Galilean and Judas the son of Hezekiah were not identical).

[5] W. Bousset, *Die Religion des Judentums im späthellenistischen Zeitalter,* 3 ed., ed. H. Gressmann (Tübingen, 1926; *HdbNT* 21), 87f.

[6] S. Baron, *A Social and Religious History of the Jews,* 2 ed. (N.Y., 1952), II, 46ff.; 58, 74, 101, 346 n. 55.

[7] Y. Yadin, *Masada, Herod's Fortress and the Zealots' Last Stand* (N.Y., 1966).

[8] Others are, e.g., J. Lightly, *Jewish Sects and Parties in the Time of Jesus* (London, 1925), 323ff.; C. Guignebert, *The Jewish World in the Time of Jesus,* tr. S. Hooke (London, 1939). (For G. the Zealots were less an organization founded by a single individual than a movement generated by a common state of mind—p. 170; cp. 39f., 169f. In this respect G. is followed by W. Forster, *Palestinian Judaism in New Testament Times,* 3 ed., tr. G. Harris (Edinburgh, 1964), who accordingly puts the origin of the Zealots in the last days of Herod, 89f. (cp. 99f., 104f., etc.), and by O. Cullmann, "Die Bedeutung der Zelotenbewegung fur das Neue Testament," in *Vorträge und Aufsätze,* 1925-1962, ed. K. Fröhlich (Zurich, 1966), 292ff. Guignebert, Forster, and Cullmann all think *sicarii* a term applied to the Zealots in general; similarly A. Momigliano, "Rebellion within the Empire. iv-vii," in the *Cambridge Ancient History,* vol. X (Cambridge, 1934), 852ff., and Stumpff, ζηλόω, ζηλωτής, *ThWb* II (1935), 884ff. (undistinguished). M. Simon, *Les Sectes juives au temps de* Jésus (Paris, 1960), was less

A new trend, however, set in just after Schürer's work, at the beginning of the present century. Kohler tried to date "a league of Kanna'im or Zealots" back to Maccabean times,[9] though he did not put the organization of the political party before the time of Herod.[10] His attempt to connect their forerunners with the Hasidim[11] was unfortunate, since one of the few things we know about the Hasidim is that they abandoned the Maccabees and went over to the Seleucid High Priest, Alcimus,[12] an action incompatible with Judas the Galilean's teaching that Jews may recognize no ruler save God.[13] However, Kohler did succeed in showing that the admiration of "zeal" (exemplified by the murders committed by Phineas and those instigated by Elijah)[14] was widespread in Judaism from Maccabean times on, that imitation of Phineas and Elijah was often spoken of, and that such thought and practice was closely connected with resistance to foreign rule. Enthusiasm for his subject and neglect of distinctions led Kohler to absurd conclusions—"Josephus was sent by the Jerusalem Sanhedrin, composed chiefly of Zealots"; the Idumaeans were Zealots, too, and so were all the leaders in Jerusalem, in spite of their hostility to each other[15]—but the recognition of the wide extent of the [3] terminology and of its background both in literature and in practice was a major contribution, most important because it indicated that private individuals might often have adopted the ideal on their own. Accordingly we cannot suppose that every individual who claimed to be a "zealot," or was called so by his neighbors, was a member of an organization.

Kohler's observations were taken up by Schlatter[16] (whose theological romanticism carried him even beyond Kohler in glorification of these heroes who fought "for freedom alone"),[17] and later by Farmer who worked out in detail the relations between the Maccabees and later representatives of the tradition of zeal—whom he

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cautious and his statement (p. 39), "Josèphe la qualifie (sc. la secte des Zélotes) d'école philosophique—au même titre que les Pharisiens," is false.

[9] K. Kohler, "Zealots," in *The Jewish Encyclopedia,* XII (1906), 639ff.; "Wer waren die Zeloten oder Kannaim?" in *Festschrift zu Ehren des Dr. A. Harkavy,* edd. D. von Günzburg and I. Markon (St. Petersburg, 1908), 6ff.

[10] *JE* XII, 640.

[11] *Festschrift ... Harkavy,* 13.

[12] 1 Macc. 7:13ff.

[13] Josephus, *Ant.* 18.23.

[14] Numbers 25; 1 Kings 18:40; 19:10.

[15] *JE* XII, 643.

[16] A. Schlatter, *Geschichte Israels von Alexander dem Grossen bis Hadrian,* 3 ed. (Stuttgart, 1925), 261ff. (his attempt to rearrange Josephus has won no praise); *Die Theologie des Judentums nach dem Bericht des Josephus* (Gütersloh, 1932), 214ff.

[17] *Theologie,* 224; contrast Momigliano's realistic evaluation of the economic motives of those who resisted Roman rule, *CAH* X, 853.

calls "zealots" (as many of them probably called themselves), but whom he rightly distinguishes from the political party which took that name.[18]

It is not unlikely that this distinction was due to the work of Kirsopp Lake, who in 1920 had contributed to volume I of *The Beginnings of Christianity*[19] an appendix, written with his usual brilliance,[20] in which he pointed out that Josephus never uses the term "Zealots" to refer to a political party before 66 A.D., that he then uses it to refer to one party clearly distinct from and at odds with the others, and that there is no justification for identifying this party with the "fourth philosophy"—the sect founded by Judas of Galilee.[21] Lake also distinguished the Zealots from [4] the *Sicarii* (422ff.) and finally pointed out the reason for the common misconception of the Zealots, viz., the long-standing and widespread admiration for "zeal" and praise of "zealots," which undoubtedly determined the party's choice of its name, but which, for that very reason, must have been prior to and wider than the party.[22]

Appendices are not read, and even when they are read, they may not be cited. Drexler, in his study of Josephus' politics, followed Josephus in distinguishing the *Sicarii* from the Zealots, but said nothing of the origins of the latter nor of Lake.[23] Moore, a colleague of Lake's, remarked in passing that Josephus did not identify the Zealots with the "fourth philosophy,"[24] but he himself shared Josephus' disapproval of revolutionary and Messianic movements; they were not the sort of Judaism he wanted to describe; accordingly the indices of his great description of ancient Judaism contain no reference to the Zealots nor to the *Sicarii.*[25] Zeitlin seems also to have noticed Lake's observations, though when he repeated them, he did not refer to Lake and differed from him in declaring that the Zealots were followers of Eleazer ben Simon,[26] whereas Lake had believed them the followers of John of Gischala.[27]

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[18] W. Farmer, *Maccabees, Zealots, and Josephus* (N.Y. 1956), 24, n. 3 (with a good review of the literature, 25-44); see also his article "Zealot," *IDB* IV (1962), 936ff.

[19] F. Jackson and K. Lake, *The Beginnings of Christianity, Part 1, Vol. I, Prolegomena I,* 421ff.; that the Appendix (A. "The Zealots") was written by Lake is stated by F. Jackson in *Josephus and the Jews* (N.Y., 1930), 264 n. 2.

[20] E.g, p. 424, "Schürer's statement that Judas ben Hezekiah is 'sicherlich' the same as Judas of Galilee seems ... quite indefensible, except in so far as the use of 'sicherlich' in theological writing indicates the combination of insufficient evidence with strongly held opinion."

[21] "No doubt the Fourth Philosophy supplied the intellectual attitude from which the Zealots and the *Sicarii* started, but there is no possibility of clearness in historical writing if the name of a political party be given to its logical antecedents," p. 422.

[22] 424f. Lake also pointed out the importance of the reference to the apostle, Simon, "called the zealot" (Luke 6:15; Acts 1:13), in shaping the common opinion.

[23] H. Drexler, "Untersuchungen zu Josephus und zur Geschichte des jüdischen Aufstandes 66-70," *Klio* 19 (1925), 277ff., esp. 284-87.

[24] G. Moore, "Fate and Free Will in the Jewish Philosophies according to Josephus," *HTR* 22 (1929), 373.

[25] *Judaism in the First Centuries of the Christian Era* (Cambridge, Mass., 1927-1930), 3 vols.

So far as I know, the first explicit reference to Lake's thesis was by J. Klausner,[28] whose enthusiastic Zionism made him anxious to represent the ancient opposition to Roman rule as a spontaneous movement of the united Jewish people, and therefore unwilling to recognize the differences and individual concerns of the anti-[5]Roman parties. For him the Zealots were Pharisees, because Josephus says they differed from the Pharisees in only one important characteristic;[29] they were also the Hasidim, and also the "fourth philosophy"; in fact, they were the leaders of all the revolts in all parts of the country.[30] Proof of all this is Josephus' statement that the "fourth philosophy" and the fanaticism it inspired were the root from which grew all the subsequent troubles.[31] But in describing the subsequent troubles Josephus treats them as independent incidents and says nothing of any one party's organizing them, therefore his statements that they all grew up from the work of Judas the Galilean probably mean *only* that Judas was the first to make resistance to alien rulers a religious duty and to set an example of the fanaticism which later led to disaster, *not* that Judas started an organization which produced all the later incidents.[32] This interpretation is admittedly based on an argument from silence, but the argument is a strong one because Josephus wrote in part to persuade the Romans of the innocence and loyalty of most Jews; had he been able to put the blame for all incidents of resistance on a single party and so exculpate the rest of his countrymen, he would surely have done so. He frequently tries to do so by suggestion,[33] and the passage noted by Klausner is one of these attempts. Neither it nor the others can stand against his account of the course of events, which testifies to widespread Jewish resentment of Roman rule and to many independent cases of resistance, breaking out in all the Jewish districts.[34]

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[26] S. Zeitlin, "Judaism as a Religion," *JQR, N.S.* 34 (1943—44), 351 n. 364. He refers to his own work, *Who Crucified Jesus?* (4 ed., N.Y., 1964) which does not make this point but does acknowledge (p. vii) the use of Lake's work for its text of Acts.

[27] "Zealots," 423. We shall come back to this question.

[28] First, I understand, in *Keshe'ummah nilḥemet 'al ḥerutah,* which I have not seen; subsequently in *Historia shel habayit hasheni,* 2 ed. (Jerusalem, 1950), 5 vols., esp. IV, 200ff.; V, 29ff.

[29] *Ant.* 18.25; Klausner, IV, 201f.

[30] IV, 202.

[31] *Ant.* 18.25; Klausner could also have cited the similar statements in 18.6 and 8-10, and other passages.

[32] So the passages in question were understood by F. Abel, *Histoire de la Palestine* (Paris, 1952), 2 vols., 1, 425. Of all scholars who have dealt with the question, Abel and Lake were probably the two best trained in Greek and best qualified to judge the exact significance of Josephus' Greek expressions. Abel says nothing of Klausner (who was his neighbor in Jerusalem) nor of the relations between the Zealots and the *Sicarii.*

[33] This was already noticed by O. Holtzmann, *Neutestamentliche Zeitgeschichte* (Tübingen, 1906), 206; recently, e.g., M. Hengel, *Die Zeloten* (Leiden, 1961), 11.

Another attempt to refute Lake was made by Brandon in 1957.[35] [6] He argued, (1) as Klausner had, that Josephus "clearly associates the movement of Judas of Galilee with the politico-religious fanaticism which goaded the nation into war"; (2) that the action of Judas must have involved actual revolt, not just seditious teaching, because both Josephus and Luke[36] look back to it as a memorable event; (3) that the existence of a "zealot" among the apostles proves the existence of the Zealots as a party before 66. But we have already seen that Josephus' statements about Judas indicate only that he set the example and provided the rationale for resistance to Rome, not that he founded the Zealot party, which Josephus never in any way connects with him. Consequently, the question whether Judas did or did not lead a considerable revolt is immaterial. As for the notion that the presence of a "zealot" among Jesus' disciples proves the existence of the Zealot party in Jesus' time, that is not an argument, but a bad pun. Kohler and Farmer, as we said, have demonstrated the wide popularity of the notion of zeal and of the ideal of "the zealot" as a private individual, imitating Phineas and Elijah. This popularity makes it quite unjustified to take an isolated reference to a "zealot" as evidence that the individual referred to was a member of the party. The term is used, for example, of Phineas in 4 Macc 18:12.

At least Brandon was aware of Lake's position. Cecil Roth, in *The Historical Background of the Dead Sea Scrolls,*[37] seemed never to have heard of it. He followed uncritically the common opinion, even though he made a special study of the conflict between the Masada *Sicarii* and the revolutionary forces in Jerusalem. In reporting this conflict Josephus—our only source—always refers to the Zealots as a Jerusalem group and never locates them in Masada. But Roth simply reversed the terminology and [7] wrote that it was "obvious that the

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[34] To argue, as Klausner does (IV, 202), that since Josephus' account of the Zealots' religious devotion, love of liberty, and self-sacrifice fits the "fourth philosophy," therefore the two groups must have been one and the same party, is fallacious.

[35] S. Brandon, *The Fall of Jerusalem and the Christian Church* (London, 1957), 105 n. 1, citing *Ant.* 18.1.16 (read 1.6 ; i.e., 18.23-25, discussed above); 20.5.2 (102); *War* 2.117f.; 433-40; 4.158-161. Of these the last refers to the Zealots but not Judas or his descendants, the preceding ones to Judas and his descendants, but not to the Zealots. Nothing in any of them indicates a connection between the two groups. Brandon's later publications on the subject, "The Zealots: the Jewish Resistance against Rome, A.D. 6-73," *History Today* 15 (1965), 632ff., and *Jesus and the Zealots* (Manchester, 1967), 26ff., add nothing of importance to the discussion.

[36] Acts 5:37.

[37] Oxford, 1958, revised, augmented and republished as *The Dead Sea Scrolls, a new historical approach* (N.Y., 1965); I cite from this latter edition.

Zealots in Masada did not consider that they owed allegiance to the Jewish revolutionary authorities in Jerusalem." For this and for his identification of the Zealots with the *Sicarii* he was taken to task by Martin[38] and Zeitlin,[39] and justly so—his arguments were often fallacious. For example:[40] the defenders of Masada were Zealots and held out to the end; the defenders of Machaerus, Herodium, and the forest of Jardes held out to the end; therefore they too were Zealots; therefore "it appears that" the Machaerus gang had authority over them. And so on.

When the inadequacy of his arguments, and the inconsistency of his conclusions with his evidence—i.e., with Josephus—were pointed out, Roth presented the amusing spectacle of a distinguished scholar trying to wiggle out of a distinguished blunder.[41] He blamed Josephus for using terms inaccurately, and subsequent historians for making Zealots of all left-wing leaders of Jewish resistance (as he had been doing when caught in the act). He then established the (familiar) fact that the *Sicarii,* led by the descendants of Judas the Galilean, were presumably continuators of the "fourth philosophy"; he admitted that "how the Zealots came into the picture is somewhat less certain";[42] but he identified the two groups on the basis of a single passage. In *War* 2.444 Josephus speaks of Menahem, the head of the *Sicarii,* as taking with him, when he went into the Temple, τοὺς ζηλωτάς. This of course means τοὺς ζηλωτὰς αὐτοῦ—"his *fanatical* followers"—as Thackeray translated it.[43] It had so been understood in antiquity [8] by the Latin translator[44] ("studiosos sui in armis habebat") and by the translator-author of Hegesippus.[45] And Josephus elsewhere consistently refers to Menahem's party as "the *Sicarii,*" and uses "the Zealots" to refer to a quite different party which he never in any way connects with Menahem, Judas of Galilee, or any other of Judas' descendants. It is therefore almost incredible that in this one instance Josephus should have contradicted his regular usage by referring to the followers of Menahem as "the Zealots."

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[38] M. Martin, review of *The Historical Background of the Dead Sea Scrolls, Biblica 40* (1959), 1048f.

[39] S. Zeitlin, "The Idolatry of the Dead Sea Scrolls," JQR 48 (1957-58), 256f.

[40] *The Dead Sea Scrolls,* 16ff. That there were some Zealots among those who fled to Jardes *(War* 7.215, cp 6.92) does not prove that all were Zealots.

[41] "The Zealots in the War of 66-73," *Jnl. of Sem. Studies* 4 (1959), 332ff.

[42] "The Zealots in the War," 334.

[43] Thackeray's words are, "his suite of armed fanatics" *(Josephus, vol.* II [London, 1927], *ad loc.).* Roth's objection to this translation ("The Zealots in the War," 332, n. 2) are grounded on the fact that it does not suit his theory. O. Michel and O. Bauernfield *(Flavius Josephus, De Bello Judaico,* Bd. I [Bad Homburg, 1960], *ad. loc.)* agree with Thackeray, "ein Schar bewaffneter Eiferer," but in their note they try to explain that both Menahem and his opponents (who were then about to murder him) were "Zeloten"—there had been a split in the party (but Josephus had neglected to mention it, no doubt because it was essential for an understanding of the events). Drexler, *Untersuchungen,* 286, also agrees with Thackeray; so does Baumbach, *Zeloten,* 733 (see below, n. 82).

[44] *Flavii Josephi ... Opera,* ed. M. Weidmann (Coloniae, 1691), *War* II.xviii of the Latin text (p. 812). The title page attributes the Latin translation to Rufinus. On its quality see J. von Destinon, *De Flavi Josephi bello iudaico recensendo* (Prog. Kiel, 1889), 15. "Quae (antiqua versio latina) sive Rufini Aquiliensis fuit, id quod vulgo creditur, sive Hieronymi, facta certe est ab homine et graecae et latinae linguae satis perito, quique et graeca verba plerumque recte interpretaretur et pro suae aetatis (IV c.) indole ... satis eleganter latino sermone redderet."

Roth, to bolster his mistranslation, appealed to *Ant.* 18.1ff., the already familiar passage attributing all the Jews' disasters to the teaching and example of Judas of Galilee. This he misunderstood as referring to the actions of the members of Judas' "fourth philosophy" and he claimed that the same things were said of the Zealots in War 7.268-70, therefore the "fourth philosophy" must have been the Zealots.[46] But *War* 7.268-70 says only that the Zealots excelled even the Idumaeans in lawlessness and were zealous emulators of all bad actions. There is nothing about their being responsible for all the nation's disasters. On the contrary the passage is part of a long digression (7.253-274) in which Josephus lists and distinguishes the revolutionary parties. First, he insists, came the *Sicarii* (254, 262), who set the example of crime and cruelty; then John of Gischala went on to violation of the food laws (264); then Simon ben Giora added treachery and tyranny (265); then the Idumaeans, madness and anarchy (267); and finally the Zealots emulated every sort of evil and claimed, withal, to practice virtue (268f.). These distinctions are rhetorical and imprecise, but the intention to distinguish the five parties is clear, and the passage is decisive *against* that identification of the Zealots and the *Sicarii* for which Roth cited it. [9]

As a further argument for the identification he adduced the fact that both the *kanna'im* (zealots) and the *sikarin (sicarii)* in rabbinic literature are murderers. Therefore, he argued, they must have been members of the same organization. This he thought proved by the fact that in one instance in *Abot de Rabbi Natan* text A has *kanna'im* where the parallel, text B, has *sikarin.*[47] But confusions of medieval copyists are not substantial evidence, and neither ζηλωτής nor *sicarius* nor *kanna'i* nor *sikari* can be taken as invariably indicating membership in an organization—there were plenty of private fanatics and assassins, and most rabbinic passages seem to refer to them.[48]

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[45] *Hegesippi qui dicitur historiae libri V,* ed. V. Ussani, vol. I (Vienna, 1932), 2.10.6, "stipatoribus tamquam regio more comitantibus."

[46] "Zealots in the War," 344.

[47] "Zealots in the War," 334; the correct refs. are *ARN,* text א, ch. 6, end; text ב, ch. 13, middle (ed. S. Shechter, N.Y., 1945, 31f.).

[48] This is obvious for references to periods after the first revolt; for others, the same conclusion has been defended by B. Salomonsen, "Some Remarks on the Zealots with Special Regard to the Term 'Quanna'im' in Rabbinic Literature," *NTS* 12 (1965-66),

From such—and even feebler [49]—arguments Roth went on to guess at implausible reasons why the term "Zealots" was not used of the "fourth philosophy" during the sixty years before the great revolt; he lightly passed over the murder of a lot of the *Sicarii* and their leader, Menahem, by the Jerusalem revolutionaries (whom he here identified with the Zealots) and he concluded, "However this may be ... we must consider the *Sicarii* and the Zealots, whatever minor distinction there may have been between them, in close association."[50] Murdering the leader of an opposing party, with all of his followers you can catch,[51] indicates only a "minor distinction"—the opinion of a true liberal.

The rest of Roth's article is an amazing muddle of misinterpreted texts and baseless conjectures; it need not detain us.[52] [10] In subsequent articles[53] he did not succeed in obfuscating the difficulties of his position. He did discover Hippolytus'[54] confusion of (private?) zealots and *sicarii* with the Essenes[55] in an attempt to explain a reference to division of the Essenes into four grades. The reference stood in the old source which was also used by Josephus, but the explanation is peculiar to Hippolytus and is obviously a muddle of misunderstood hearsay, worthless as evidence for original identification of the groups it confuses.[56] The rest is pure speculation, insistence on whatever differences can be found between the Dead Sea documents and Philo's, Pliny's, and Josephus' accounts of the

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168ff., but his arguments are even worse than Roth's. His article is rich in references to works on the Zealots by assorted cranks—a handy guide to what should not be read.

[49] *Numbers Rabbah* 20.26 on Num 25: 7 represents Phineas, the model zealot, hiding the blade of his spear in his garment, so as to get past the guards of the man he intended to murder; the *Sicarii* were said to hide their swords in their garments (*Ant.* 20.164, etc.); *ergo* the Zealots were the *Sicarii.*

[50] "Zealots in the War," 337.

[51] *War* 2.442-48.

[52] Note: On p. 339—Acts 21:38 is not intended to prove the Egyptian a *sicarius* but the centurion an ignoramus. P. 340—The priestly group which murdered Menahem was not "moderate," it had begun the revolt. P. 341—Once again there is no indication that the Masada *Sicarii* were ever Zealots, nor that the Jerusalem Zealots ever "adhered to the 'Fourth Philosophy.'" P. 346—"It is ... impossible ... to distinguish guiding principles," because he has given the Zealots a creed they never held and made Zealots of a body who never were so; the resultant muddle is explicable only by his determination to save what he could of his thesis and his face. P. 348—That the groups in control of Masada, Machaerus, and Herodium are all called λησταί does not prove them all one party; λησταί is simply "robbers" and is applied by Josephus to all robber bands regardless of their principles, or lack of them, see Hengel, *Zeloten,* 25ff. and esp. 35ff. vs. Rengstorf, ληστής, *ThWb* IV (1942), 262ff.

[53] "The Zealots—a Jewish Religious Sect," *Judaism* 8 (1959), 33ff.; "The Zealots and Qumran: The Basic Issue," *Revue de Qumran* 2 (1959-60), 81ff.

[54] Or his immediate source's? Late second century A.D.?

[55] *Philosophumena (= Refutation of All the Heresies)* 9.26.

[56] See M. Smith, "The Description of the Essenes in Josephus and the Philosophumena," *HUCA* 29 (1958), 282f.

Essenes, and neglect or denial of whatever differences can be found between the same documents, Josephus' reports of the Zealots and the Pharisees, and the remarks about persons so called in rabbinic literature.

After Roth's speculations Hengel's *Zeloten*[57] seems a model of solid scholarship—that is the great German façade. When, however, one goes behind the monumental annotation and examines the actual structure, it turns out to be built on the old, unjustified assumptions: references to zealots and *sicarii* in rabbinic literature and the Gospels are taken as references to members of *the* Zealots and *the Sicarii* (the organizations);[58] the mistranslation [11] of *War* 2.444 is again used—in defiance of all other evidence—to make *the* Zealots followers of Menahem;[59] the worthless parallel of *kanna'im* and *sikarin* in *Abot de Rabbi Natan* A6 and B13 is again used to identify the parties;[60] the disciple Simon "the zealot" is again evidence of an organization of Zealots in the time of Jesus (and the similar use of the term for Phineas in 4 Macc 18:12 is again neglected);[61] Hippolytus' muddling of the sects is again evidence of their identity two centuries before his time.[62] All these hoary howlers are embedded in a mass of learned data about even more dubious details which add nothing of importance to the discussion.

There is, however, one new argument: since the Zealots were the smallest of the revolutionary parties,[63] the fact that Josephus, when surveying the course of the revolt (in *War* 7.253-74), puts them last shows he attributed to them special importance, perhaps because he knew they had a larger role in the prehistory of the war than the size of their rump in Jerusalem would indicate.[64] This "perhaps" is pure conjecture, not justified by anything in the text. The passage declares that the order is one of increasing wickedness, with the Zealots coming at the end because, to the crimes of others, they added hypocrisy, by their claim to be zealots for the good deeds.[65] But along with this rhetorical order there is a chronological consideration—Josephus thrice and emphatically indicates that the *Sicarii* came first in order of time;[66] it would be plausible therefore to suppose that the Zealots, placed at the end, became an organized and important group only late in the revolt. [12]

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[57] M. Hengel, *Die Zeloten* (Leiden, 1961; *Arbeiten zur Geschichte des Spätjudentums und Urchristentums,* I).

[58] *Zeloten,* 21f., etc. As to *sicarii,* however, there is an honorable exception, 50f., where Hengel recognizes that the term has both a general and a specific use, but draws from this fact the unlikely conclusion that divisions in the liberation movement developed only in 66, which he thinks the earliest date for which Josephus' specific use of the term *sicarii* (to refer to the party led by Judas' descendants) can be demonstrated. But in *War* 7.253f. Josephus speaks of the *sicarii* as uniting to form a definite organization in the days of Judas the Galilean—and the presumption is strong that this was the organization founded by Judas and led by his descendants, cp. 7.262 (πρῶτοι). If so, *Zeloten,* 67, is mistaken in making the party of Judas different from and prior to the *Sicarii.*

[59] *Zeloten,* 66; the alleged reason—that the adjective is here determined and without further specification—is false; the specification αὐτοῦ is indicated by the context and was understood by the ancient translators, see above at notes 44 and 45.

[60] *Zeloten,* 68.

[61] *Zeloten,* 72f.

[62] *Zeloten,* 73.

[63] *Zeloten,* 65, 2,400 men, *War* 5.248ff., vs. 10,000 followers of Simon ben Giora, 6,000 of John of Gischala; and 5,000 Idumaeans.

[64] *Zeloten,* 67.

Oblivious of this consideration, Hengel tries to show that Judas of Galilee's fourth philosophy was the single controlling organization behind all the revolutionary movement from 6 to 66.[67] Here again his basic argument (1) is familiar: misinterpretation of Josephus' statement that all the troubles began with them.[68] He also argues (2) that Judas' party had a clear succession of leadership through the whole period (but this does not indicate that it controlled the other groups); (3) that there are no traces of party conflict till late in the revolt (but this probably indicates that the early incidents were largely spontaneous, not managed by any organized party); (4) that Menahem's claim to become leader of the whole movement must have been based on his recognized authority over it (but this is false; it was based on his armed followers, and the other *revolutionists* did not recognize it); (5) that the murder of Menahem began the breakup of the movement (but Josephus says nothing of this, and he would have been delighted to report it); (6) that Josephus' failure to say more about Judas' sect is due partly to unwillingness, partly to ignorance (but ignorance is unlikely and unwillingness inexplicable; he would have been happy to blame most of the trouble on a single sect); (7) that the sect must have had a strong organization because two procurators had to resign themselves to negotiating with its leaders (but *Ant.* 20.215, 255, which Hengel cites, say that the procurators were bribed to cooperate; a terrorist organization can be effective, even though small; and even a large organization would not imply direction of the whole revolutionary movement). In sum, this collection of arguments is worthless.

Fortunately Hengel's book goes on to a full and richly documented exposition of theological positions which may plausibly be attributed to the Zealots or to the *Sicarii* or to both—and even if the attribution should be incorrect, the exposition would be valuable as an account of themes which were of great importance [13] in the thought of first-century Judaism.[69] But all that concerns us here is the distinction and external history of the sects. To this Hengel returns in his last chapter,[70] an account of the development of the Zealot sect.

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[65] *War* 7.263, 265, 267, 268-70.

[66] *War* 7.254, 262, 324. I see no reason to doubt that these passages refer to the organization of the party and its attempt to start a revolt in the days of Judas of Galilee. Drexler's supposition that they refer to otherwise unknown events of 66 or thereabouts (*Untersuchungen,* 286) seems to me groundless.

[67] *Zeloten,* 86ff., whence the following six arguments are derived.

[68] See above, following n. 30.

He recognizes that the many messianic and pietistic revolts of Herodian times were spontaneous and unconnected outbreaks, diverse in origin and nature, and showing no sign of long preparation or unified leadership,[71] but he attributes to Judas of Galilee the introduction of the organization which "eventually succeeded in bringing almost all Palestinian Judaism into open revolt against Rome."[72] For this theory he still has no substantial evidence. None of the major political and religious disturbances between the suppression of Judas in 6 and the rise of the *Sicarii* after 54 has any reported connection with Judas' party. Josephus has no hesitation about referring to this party; he reports that the two sons of Judas were crucified by Tiberius Alexander about 45,[73] so presumably the party continued existence and resistance, but achieved no results worth mentioning. The social conditions to [14] which Hengel attributes growth of the troubles—overtaxation of the peasantry, etc.—[74] were of a sort to favor the development of local robber bands, which is just what Josephus says they did produce. They would not favor the growth of a single, organized, ideologically motivated party—the means of communication were lacking, the grievances were largely economic, there was no strong motive for submitting to a central organization, and there was natural disinclination to do so—each local leader had his own interests, and foremost among them would be his leadership. Consequently it is not surprising that there is no evidence of any major, country-wide resistance organization, even down to the beginning of the war. The *Sicarii* may have numbered several thousand, but hardly more—terrorist bands depend on tight secrecy, and as numbers increase, the difficulty of maintaining secrecy increases greatly. Individual prophets attracted large followings, but they were evidently individualistic lunatics, not representatives of any organization, and Josephus explicitly distinguishes them from the *Sicarii* as he does the *Sicarii* from the ordinary brigands.[75] Admittedly he sometimes calls all revolutionists "brigands," and this is made an argument—with an undistributed middle—for supposing that all brigands must have been revolutionists and therefore Zealots and therefore *Sicarii*.[76] The fallacies are obvious. That robbers had the sympathy of the peasants of their neighborhood—often, no doubt, their relatives—proves nothing as to their ideology;[77] the Mafiosi still do. That the *Sicarii* ever had very large support among the people seems unlikely—at least the populace of Jerusalem joined in murdering Menahem and his followers, and the followers who escaped made no attempt to raise the countryside but only fled to Masada.[78] Nor does any trace of any other more extensive revolutionary organization appear. When the Jerusalem leaders decide to orga[15]nize resistance after the defeat of Cestius Gallus, there is no question of any organization with (or against) which they will work; they send out individuals of quite different backgrounds and affiliations to different parts of the country.[79] In particular, Josephus' two detailed accounts of his attempt to organize the war in Galilee contain no mention of either Zealots or *Sicarii*. Yet he would have been happy to shift all the blame he could onto them. Evidently neither group was of importance in that part of the country. These facts being so, Hengel's account of the development of the Zealot party is mainly a work of fantasy.

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[69] In fact, the extensive documentation of all of these ideas makes it impossible to consider any of them characteristic of either the Zealots or the *Sicarii.* Presumably these sects were distinguished, as were the other Jewish sects of the time, less by their theological concepts than by the *details* of their halakic rulings and, of course, by personal and historical conflicts. On the differentiation of ancient Jewish sects (including Christianity) see M. Smith, "The Dead Sea Sect in Relation to Ancient Judaism," chapter thirteen above.

[70] His discussions of prophecy (235ff.), exegesis (240f.), the wilderness (255ff.), and martyrdom and suicide (262ff.) involve a number of identifications of historical figures as Zealots, but these are purely conjectural and need not be refuted. In his account of the resistance to Rome as a "holy war" two errors on p. 289 may be mentioned: there is no evidence that Eleazar ben Dinai had any connection either with the Zealots or with the Sicarii (and Josephus would almost certainly have mentioned such a connection had any been known or suspected); the gathering into Jerusalem of bands from all over the country *(War* 4.135) did not precede but followed Menahem's putsch and death *(War* 2.442-47) and Menahem cannot plausibly be represented as the leader of those who joined his murderers. Hengel supposes (289, n. 5) that after Menahem's death "the war probably ceased to be a holy war." At least the survivors of Judas' sect seem to have done nothing substantial for it; they sat it out on Masada. But it is only then that the Zealots, as an organized group, appear. I believe that the ancient Jews would have considered any war in which they were engaged a holy war. Therefore the appearance of elements of holy war theory and practice is not evidence for the existence of any special organization; it testifies only to the common Old Testament background.

[71] *Zeloten,* 324, 333ff.

[72] *Zeloten,* 336.

[73] *Ant.* 20.102.

[74] *Zeloten,* 341.

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[75] *War* 2.254, 258; to interpret 2.264 as reporting the cooperation of an organization of λῃστρικοί with an *organization* of γόητες (!—so Hengel, 239) is amusing. What the Greek means, however, is that the two sorts of fanatics, by their different actions, produced a common effect—that of stirring up the people.

[76] E.g., the interpretation of Mark 14:48 to mean, "as against a Zealot," *Zeloten*, 346.

[77] Contrast *Zeloten*, 357ff.

[78] *War* 2.445-49.

[79] *War* 2.562-68. The δῆμος that was *gradually* won over to Eleazar was that of Jerusalem.

After Hengel's book appeared, Zeitlin pointed out again the facts as to Josephus' statements about Zealots and *Sicarii,*[80] Salomonsen attacked especially Hengel's connection of the Zealots with the Pharisees,[81] and Baumbach reviewed the evidence, noticing the work of Lake, but following Zeitlin in supposing the Zealots were a Jerusalem priestly party, sharply opposed to the *Sicarii* organized by Judas of Galilee and mainly of Galilean peasant origin.[82] This reconstruction neglected what Jackson had already pointed out,[83] that Judas' nickname, "the Galilean,"[84] probably indicated the district from which he had come to Jerusalem. Since he raised his revolt in opposition to the introduction of the census in 6 A.D. and the census at that time was introduced in the former kingdom of Archelaus—mainly Judea—the probability is that he worked in Judea, and that is the only place where the *Sicarii* are found—there is no good reason to connect them with Galilee.

Moreover, it is also somewhat unlikely that the Zealots were a Jerusalem priestly party. Here the evidence is somewhat less clear. The main passage is *War* 4.129-61, where Josephus de[16]scribes at length the formation of the Zealot party. He says that when Vespasian, having conquered Galilee, began to move south in midwinter of 67-68, the conflict in the southern towns between the advocates of resistance and the advocates of surrender became acute. The former, having most of the younger men, got the upper hand and began by looting their neighbors, then ravaged the countryside, then withdrew to Jerusalem, where they merged into one gang and eventually became strong enough to terrorize the city, arrest, imprison, and murder a large number of prominent citizens, get control of the Temple, and appoint a new high priest of their own choosing. They called themselves "the Zealots," Josephus says, "on the pretense (ὡς) that they were zealous for good deeds, and not for the worst actions possible."[85]

From this time on Josephus frequently refers to this party. It had a complicated history, shifting its allegiance from leader to leader, sometimes allying with other parties, sometimes divided against itself, but—to judge from Josephus' expressions—always a recognizable group. At the end of his story, therefore, when Josephus is looking back over the whole course of events, he distinguishes the Zealots clearly and places them last among the groups responsible for the disaster.[86]

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[80] S. Zeitlin, "Zealots and *Sicarii,*" *JBL* 82 (1962), 395ff.

[81] B. Salomonsen, "Nogle synspunkter fra den nyere debat omkring Zeloterne," *Dansk Teologisk Tidskrift* 27 (1964), 149ff.

[82] G. Baumbach, "Zeloten und Sikarier," *ThLZ* 90 (1965), 727ff.; his "Bemerkungen zum Freiheitsverständnis der zelotischen Bewegung," *ThLZ* 92 (1967), 257f., reports a popular development of the same ideas.

[83] J. Foakes Jackson, *Josephus and the Jews (N.Y.,* 1930), 264.

[84] Cp. *War* 2.118 (ἀνὴρ Γαλιλαῖος*);* 433 (τοῦ καλουμένου Γαλιλαίου)*;* Ant. 18.4 (Γαυλανίτης ἀνὴρ ἐκ πόλεως ὄνομα Γάμαλα; 23 (ὁ Γαλιλαῖος); 20.102 (τοῦ Γαλιλαίου).

[85] *War* 4.161.

This much is clear—but there are three passages in War 2 where Josephus refers to zealots. What can we do with these? One, 2.444, has already been disposed of—the term there certainly means "fanatical adherents."[87] In the other two I think it means individual zealots. The type was becoming common in Jewish society—preachers had been praising it ever since Maccabean times; Roman taxation and misgovernment had produced much fanatical hatred which expressed itself as piety. In fact, the popularity of the ideal must be supposed to explain why a party should decide to call itself "*The* Zealots," as Josephus says our heroes did.[88] Consequently it is likely that before the formation of the party there were many individual zealots in the city, and that these made up a considerable part of the following of Eleazar ben [17] Simon (*War* 2.564) and posed a considerable problem for leaders of the pro-Roman party, as Josephus says they did (*War* 2.561). From leadership of a group including many such fanatics, Eleazar went on to play an important role in the Zealot party (*War* 4.225 [?]; 5.5, 10, 12, 21, 99, 250), but this does not prove that the party was generated from his followers or was, to begin with, mainly made up of them.

These earlier references to considerable groups of zealots therefore need not stand in the way of our accepting at its face value the account Josephus gives of the organization of *the* Zealots as a party. If so, the roots of that party were mainly in the Judean peasantry, and the facts that the first things they did were attack the city aristocrats, seize control of the Temple, and elect as High Priest a villager of their own sort—all these[89] fit perfectly with peasant piety. It is understandable, too, that they soon found themselves besieged by the city population, the πλῆθος or δῆμος.[90] If this interpretation is correct, Baumbach's sociological analysis was based on two false premises and may be dismissed.

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[86] *War* 7.260-71.
[87] Above, at notes 43 and ff.
[88] *War* 4.160.
[89] *War* 4.138-61.
[90] *War* 4.162, 193-207.

The more recent works I have seen on the Zealots and *Sicarii*[91] are not important for the purpose of the present paper—deter[18]mination of the origin and relations of the two groups. Therefore the results of the preceding discussion may be summed up as follows:

From at least Maccabean times many Jews fostered the admiration of "zeal," and individuals undertook, or were thought, to be "zealots" on the models of Phineas and Elijah. This admiration and these models were presumably influential in shaping the resistance to direct Roman government, in which resistance the first prominent figure was Judas of Galilee. It seems unlikely, however, that the organization Judas founded—Josephus' "fourth philosophy"—called itself "the Zealots,"[92] for had it done so, the same title could hardly have been taken, as it was in the revolt, by a quite different party. Whatever it called itself, Judas' sect survived, continued its opposition to the Romans, was led by his descendants, and in the mid-fifties, when Roman control of the country began to disintegrate, made itself notorious by a series of murders of distinguished individuals. These won this party the name of "the *Sicarii,*" by which Josephus consistently refers to it from this time on, but we cannot suppose that every assassin *(sicarius)* in Palestine was therefore a party member. All that we know of the party locates it in Judea, where the census was introduced and where Judas of Galilee presumably staged his opposition. Neither Josephus' detailed accounts of events in Galilee nor the Galilean material in the Gospels shows any trace of it, and the notion that it organized all the resistance to the Romans is unsupported by evidence and refuted by the lack of evidence. It is also refuted by the course of events, for the party played only a minor role in the war against Rome. In 66 it allied with that portion of the priesthood which had started the revolt, and its alliance enabled them to get control of the city.[93] It also got control of Masada,[94] which enabled it to recruit and arm a considerable number of troops. Relying on these, its leader, Menahem, attempted to take control of Jerusalem, but the priests [19] who had started the revolution attacked him in the Temple and murdered him and most of his followers.[95] In this they had the help of the Jerusalem *demos.*[96] Most of the *Sicarii* fled to Masada and there did nothing of importance for the rest of the war, nor thereafter, until the place was taken by the Romans in 73. A few remained at large and some of these escaped to Egypt and Cyrene after the war, but there too they failed to secure general support and were handed over or betrayed to the Romans.[97]

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[91] On G. Driver, *The Judean Scrolls* (Oxford, 1965), see the crushing review of R. de Vaux, "The Judean Scrolls. 2. Essenes or Zealots," *NTS* 13 (1966), 89ff. C. Daniel, "Esséniens, Zelotes, et Sicaires," *Numen* 13 (1966), 88ff., is ignorant nonsense. On Brandon, *Jesus and the Zealots,* see above, n. 35. (The argument that Josephus did not call the Zealots by their name because the name was an honorable one and he did not wish to admit their moral claims is refuted by the fact that he does call them by their name, often, and emphatically.) K. Wegenset, "Zeloten," *RE* R2 18 (1967), 2474ff., abbreviates Hengel—a pity, since it will probably be quoted as Scripture by generations of graduate students. S. Hoenig, "The *Sicarii* in Masada," *Tradition* 11 (1970), 5ff., has applied the opinions of Zeitlin to the propaganda of Yadin, with devastating effect. V. Nikiprowetzsky's resume of his lectures on the Zealots (quoted in A. Dupont-Sommer, "Histoire ancienne de l'orient," *Annuaire,* École pratique des hautes études, IV^{e} section, 1969—1970, 132ff.) reports an attempt to compromise between the common opinion and that of Zeitlin. N. was forced to suppose Josephus' terminology inaccurate; it is easier to sacrifice his theories than Josephus' statements. A concluding touch of humor was furnished by the *ex cathedra* comment of the *directeur d'études* (Dupont-Sommer) on "zealots" and *"sicarii,"* "En fait, Josèphe emploie indifférement l'un ou l'autre terme." H. Kingdom, "Who Were the Zealots and Their Leaders in A.D. 66?" *NTS* 17 (1970), 68ff. reviews the evidence in Josephus and corrects some details of Lake's account but shows almost no knowledge of the rest of the discussion and bumbles to the usual incredible conclusion that the "zealots" of Menahem and their priestly murderers were one and the same party.

[92] Since we never hear what Judas' party did call themselves, it is not unlikely that the name was "Israel," that is, that they claimed to be the only true Israel and thought those who submitted to the Romans were apostates. This point I shall argue in another paper.

In all this history there is no evidence of any connection of these *Sicarii* with the Zealots. The latter, as a party, did not come into existence until the winter of 67-68 (more than a year after Menahem had been murdered and his followers driven out). There had, indeed, been many individual zealots in the city before this time; they had formed an important element in the following of Eleazar ben Simon,[98] and had posed a serious problem for those leaders who wanted a peaceful settlement with Rome,[99] but there is no clear evidence that they yet formed a definite party, and Josephus in *War* 4.130—61 gives a full description of the formation of the party in Jerusalem, as a result of the common interest of the rural resistance groups who took refuge in the city when the Romans moved south from Galilee, but not before. We may therefore plausibly see in the Zealot party the representatives of Palestinian, principally Judean, peasant piety, hostile alike to the rich of the city, the upper priesthood of the Temple, and of course the foreign rulers. In Jerusalem it was a relatively small but highly militant and effective party, which tried to strengthen itself by various alliances, played an important and determined role in the defense of the city, and was finally involved in its destruction.

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[93] *War* 2.425ff.

[94] *War* 2.408, cp. 433f.

[95] *War* 2.433-48.

[96] *War* 2.449.

[97] *War* 6.409-19; 437-50.

[98] *War* 2.564.

[99] *War* 2.651.

CHAPTER SEVENTEEN

ON THE WINE GOD IN PALESTINE (GEN 18, JOHN 2, AND ACHILLES TATIUS)

[815] As the great increase of learning has made it necessary for most historians to limit their studies to one country, and one period of that one country, the importance of tradition as a factor in history has been somewhat obscured. Students of a particular area and age too often fail to realize that many of the actions they have to study were determined by patterns established far away and long ago. In such circumstances the history of a tradition like Judaism, which must be traced through millennia of time, through every country of the world, and through every field of human endeavor, is particularly apt to suffer from the fragmentation of learning into separate faculties and departments and fields. Accordingly it is an amazing piece of good luck that in this century we have had such a scholar as Professor Baron, whose extraordinary breadth of learning has enabled him to present the whole of Jewish tradition in a single history. His example is the model which the present study would imitate, albeit in miniature, by calling attention to an element which seems to have had some importance in Israelite and Palestinian Jewish tradition for about 1500 years. Let us begin with a pagan example.

Achilles Tatius is remembered as the author of a Greek romance, *The Adventures of Leucippe and Clitophon,* preserved is some twenty-three manuscripts of which the earliest dates from the twelfth century. The work was long thought to be Byzantine, but recently some papyrus fragments have been discovered and the earliest of them dates from the second century A.D.[1] Accordingly the date [816] of composition can hardly be later than the first half of the second century, and is probably earlier. This change in date changes also the importance for Jewish and primitive Christian tradition of an episode at the head of the second book (2.2.1-3.3) where the author is speaking of the festival of Dionysus at the beginning of the vintage in Sidon (about the same time of year as Sukkoth, the Israelite vintage festival).[2]

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[1] E. Vilborg, *Achilles Tatius Leucippe and Clitophron, A Commentary* (Göteborg, 1962) (*Studia Graeca et Latina Gothoburgensia,* XV), p. 9.

[2] Deut 16:13.

> "The Tyrians," Tatius' hero says,[3] "think Dionysus their own, since they also keep repeating the myth of Cadmus. And they tell a myth about the origin of this feast. At one time wine was unknown among men.... [But there lived among the Tyrians] a hospitable shepherd[4]... [and] Dionysus came to visit him.... He puts before [the god] such food as earth and the udders of cattle provide, and their drink, too, was what an ox would drink, for as yet there was no beverage from the vine. Dionysus praises the oxherd for his friendliness and offers him a cup as a pledge of friendship. And the drink [in it] was wine. The shepherd, drinking, goes wild with pleasure and says to the god, 'Whence, my friend, do you have this purple water? Whence have you found such sweet blood? This certainly is not what flows on the ground. That goes down into the breast and gives a simple pleasure, but this, even before the mouth, gladdens the nose. When you touch it, it is cold, but no sooner does it leap down into the belly than it breathes out, down below, the fire of pleasure.' And Dionysus said, 'This is water of summer, this is blood of the grape cluster.' The god takes the herdsman to [817] the vine, and taking some of the clusters and squeezing them and, at the same time, pointing to the vine, 'This,' he said, 'is the water, this is the spring.' Thus wine came to men, according to the Tyrians' story.
>
> "On that day they celebrate a festival [in honor] of that god. So the father [Tatius' hero's host], anxious to entertain his guests well, not only had prepared a dinner luxurious in other respects, but also set out a precious crater sacred to the god, second only to that of Glaucus the Chian. The whole was a work of carved glass. Vines, growing from the crater itself, were wreathed all around it. Their clusters hung down on every side.... Dionysus was represented beside the clusters, that he might cultivate the vine with wine. As the drinking progressed, I was already shamelessly looking at [my beloved]. Then Eros and Dionysus, two mighty gods, taking possession of her soul, so excited her that she was no longer shamefast, the one kindling her with his accustomed fire, the other bringing wine as fuel."

Such is the text. Some difference in the order of elements appears in one of the papyri, but it need not detain us. It is immediately obvious that we have a striking parallel to the Johannine story of Jesus' miracle at Cana in Galilee, John 2:1-11, when Jesus comes to a marriage feast where the wine has run out and changes water into wine.

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[3] This translation is based on the text of E. Vilborg, *Achilles Tatius Leucippe and Clitophron* (Stockholm, 1955) *(Studia Graeca et Latina Gothoburgensia,* I). Vilborg's text differs only slightly from that of earlier editions and the differences, except as noted below, are not important for the purpose of this essay. My remarks on the history of the text are taken from the introductory chapters of Vilborg's edition.

[4] Vilborg, text, p. XXXVII, thinks Tatius, for artistic variation of wording, wrote "shepherd... oxherd... shepherd." The MSS wrote "oxherd" throughout, but "shepherd" is preserved in the papyri.

Scholars had long maintained that the Cana story had a Dionysiac background.[5] It has no Synoptic parallel; the miracle it reports is not even of the same type as any of the miracles reported in the Synoptics; in this respect it is unique among the Johannine stories of Jesus' "signs"; therefore the supposition that it came from some alien tradition was plausible.[6] Moreover, its introduction could be [818] explained by a polemic motive found elsewhere in John—the desire to contrast Jesus as the true, spiritual vine, with Dionysus, the false, earthly one.[7] However, the Dionysiac myths cited as parallels were somewhat remote in time, geography, and content.[8] Consequently a plausible case could be made out by those who wanted to deny the Dionysiac reference and to explain the story wholly from Jewish analogies and concerns—the multiplication of food and "healings" of springs in the Old Testament, the contrast, in the Johannine story, between the Jewish water of purification, which is transformed, and the wine of Christian baptism with the spirit, which Jesus gives to men.[9] Now, however, the main reasons for denying a Dionysiac reference are refuted.[10] It appears that when the Gospel according to John was being written there was next door to Galilee, at Sidon (a city whose territory Jesus is said to have visited, Mark 7:31, and from which men came to Galilee to hear him, Mark 3:8) an established public festival of which a myth obviously similar to the Cana story was the central theme. [819]

Moreover, the myth as told by Achilles Tatius has a number of parallels to other passages in John which show that the Dionysiac influence in the fourth Gospel was not limited to the Cana passage. The conversation between the shepherd and Dionysus is echoed by the conversation between the woman of Samaria and Jesus in John 4, where the contrast is no longer between water and wine, but between mere natural water and the living water of the spirit. In almost the very words of the shepherd the woman says "Whence do you have the living water?" (John 4:11). The blood to drink, in the other half of the shepherd's question, "Whence have you found such sweet blood?," recurs in John 6:55, "My blood is the true drink." The shepherd's words on the way wine enlivens the stomach are recalled by similar sayings of Jesus in John 4:14 and 7:37ff. on the water of life.

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[5] Conspicuously W. Bousset, *Kyrios Christos,* 2nd ed. (Göttingen, 1921), p. 62; W. Bauer, *Das Johannesevangelium,* 3rd ed. (Tübingen, 1933) *(HNT* 6), ad loc.; R. Bultmann, *Das Evangelium des Johannes,* 16th ed. (Göttingen, 1959) *(KKNT,* II Abt.) ad loc.

[6] So R. Brown, *The Gospel according to John i-xii* (New York, 1966), pp. 101ff., who, however, denies Dionysiac influence.

[7] John 15:1.

[8] The followers of Dionysus called forth springs of wine from the earth; springs at Dionysus' shrines flowed wine, or became intoxicating, during the god's festivals; empty vessels left in his temple were found filled with wine; and these miracles were located in Greece and the Greek islands. See the passages cited by Bousset and Bauer, above, n. 5.

[9] So E. Hoskyns, *The Fourth Gospel,* ed. F. Davy (London, 1940), I, 199ff.; R. Brown, cited above, n. 6; at most length H. Noetzel, *Christus und Dionysos* (Berlin, N.D. [c. 1960]).

[10] Noetzel's main objections seem to me those he discusses on pp. 26ff.: (1) no cult of Dionysus with such mysteries in the neighborhood of Palestine; (2) no Christian cult with a miracle involving visible transformation (this is false; see Hippolytus' account of Marcus, *Philosophumena* 6.39f.); (3) in the Dionysiac miracles the change is not effected by the god in person; (4) nor is water transformed into wine, rather, wine is produced; (5) Bousset and Holl were mistaken in relating the feast of Epiphany to that of Aion-Osiris-Dionysus in Alexandria (correct, but now unimportant); (6) Jesus worked in a Jewish, not a hellenistic environment (false antithesis); (7) Jesus' miracle was a sign of the arrival of the messianic age (irrelevant). Of these seven objections I think nos. 1, 3, and 4 are substantial, and these are met by the report of the ceremony in Sidon.

Yet more important, the whole episode in Achilles Tatius has the structure of the Christian communion service from the canon on, and the Cana story is generally recognized to refer to communion. The pagan story, like the canon, begins with the account of what the god did, then comes the cup, and as the communicants partake of it the god takes possession of them and creates in them mutual love. How far this symbolism was taken over by the early Church can be seen from the most famous of all ancient Christian communion cups, the Antioch chalice, which, like both our stories, probably comes from the Syrian coast.[11] A simple chalice of early date, undoubtedly a relic treasured by some Christian community, has been given a magnificent silver encasement expressing the Christian—and Dionysiac—notion of the communion. The decoration corresponds closely to that of the cup in Achilles Tatius: a vine grows around the chalice and in the midst of this vine is represented the deity present in the wine. It is hard to suppose that in either instance the decoration was without religious significance. The pagan parallels show that Christian literature and art, from the time of the Gospel on, was developed [820] in part by imitation of Dionysiac motifs; the Christian parallels show that Dionysiac decoration was not merely decorative, but could express religious ideas that the Christians wanted both to appropriate and to contradict.

Tyre and Sidon were not alone on the Palestine-Syrian coast in their devotion to Dionysus, nor was Christianity the only branch of the cult of Yahweh to take over Dionysiac ideas and symbols.

The legends of Damascus, Nysa-Scythopolis and Raphia gave Dionysus a part in these cities' foundations.[12] He appeared on their coins and also on those of Caesarea, Aelia, and perhaps Philadelphia (Amman).[13] He was identified with the Nabatean god, Dusares.[14] A tomb with Dionysiac frescoes has been found at Ascalon.[15] These are only a few places which come immediately to mind, but they suffice to show the distribution of the cult of Dionysus throughout the area. A search would undoubtedly reveal much more evidence in Palestine itself, to say nothing of Phoenicia and Syria where the god's cult was important at Heliopolis (Baalbek), Byblos, Apameia and other sites. Wilamowitz thought that the Dionysiac mysteries were the only ones which extended throughout the Hellenized world and lived on through centuries.[16] Nock declared Dionysiac devotion "probably the strongest form [821] of individual piety in the Eastern part of the Empire."[17]

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[11] F. Filson, "Antioch, Chalice of," *The Interpreter's Dictionary of the Bible* (New York, 1962), I, 148; a better photograph in A. Grabar, *L'Age d'or de Justinien* (Paris, 1966), p. 312, comment p. 313.

[12] Stephanus of Byzantium, *Ethnicorum*, s. vv. *Damaskos* and *Rapheia;* Pliny, *Hist. Nat.* 5.18(16).74; Diodorus Siculus 3.64.5-7, 65.7; A. Rowe, *The Topography and History of Beth Shan* (Philadelphia, 1930), pp. 44f.; H. Seyrig, *Antiquités Syriennes VI* (Paris, 1966),

Accordingly it is not surprising that Yahweh was often identified by gentiles with Dionysus. Plutarch, *Quaestiones Convivales* 4.5, end, and 6, accepted the identification; Tacitus, *Historiae* 5.5, end, knew, but rejected it; it was still accepted by the oracle of Apollo at Clarus, in the late second or third century, and thence by Cornelius Labeo and Macrobius *(Saturnalia* 1.18.19ff.) in the fourth and fifth; in the latter half of the sixth century the Christian John Lydus found it still worth contradicting *(De mensibus,* 4.53).[18]

The surprising fact is that this identification first appears among the Jews themselves. On the famous *Yehud* coin of the British Museum (fourth century B.C.)[19] the deity is represented as Zeus, but has attributes associated with Dionysus—the satyr's mask, the chariot of

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115ff. (= "Note sur les cultes de Scythopolis," *Syria* 39 (1962), 207ff.); G. Hill, "Some Palestinian Cults of the Graeco-Roman Age," *Proceedings of the British Academy* 1911-12, pp. 411ff., esp. p. 414f.

[13] Hill, loc. cit. and *Catalogue of the Greek Coins of Palestine* (London, 1914; repr. Bologna, 1965), p. 325; *Catalogue of the Greek Coins of Arabia, Mesopotamia and Persia* (London, 1922; repr. Bologna, 1965), p. xl; W. Wroth, *Catalogue of the Greek Coins of Galatia, Cappadocia, and Syria* (London, n.d.; repr. Bologna, 1964), pp. 282, 288.

[14] F. Cumont, "Dusares," *RE* V. 2 (1905), 1865ff., esp. 1867.

[15] A. Biran, "Archaeological Activities 1965," *Christian News from Israel,* 17 (1966), plate 4 and p. 26.

[16] *Der Glaube der Hellenen,* 3rd ed. (Basel, 1959), p. 381.

[17] Review of Harder, *Karpokrates,* in *Gnomon,* 21 (1949), 227.

[18] To this list Hippolytus, *De antichristo* 49, adds nothing; it is merely a distorted reflection of 1 Macc 1:8ff. and 55. See H. Willrich, "Dionysos in Jerusalem," *Archiv für Religionswissenschaft,* 24 (1926), 170ff. The "Bacchius Iudaeus" making his submission on the coins of Plautius (c. 54 B.C.) remains enigmatic: with E. Schürer, *Geschichte des jüdischen Volkes,* 3rd/4th ed. (Leipzig, 1901-09) I. 295f. cp. F. Cumont, "Les mystères de Sabazios et le Judaïsme," *CRAIBL* 1906, 66.

[19] Best illustrated in S. Cook, *The Religion of Ancient Palestine in the Light of Archaeology* (London, 1930) *(Schweich Lectures,* 1925) Plate XXXII. Discussion, pp. 147ff.; cp. E. Goodenough, *Jewish Symbols in the Greco-Roman Period,* (New York, 1953-68) *(Bollingen Series,* XXXVII), I, 270f. and III, no. 670; bibliography, B. Kanael, "Altjüdische Münzen," *Jhb. für Numismatik und Geldgeschichte* XVII (1967), 223ff.

Triptolemus.[20] Admittedly, the relation of this deity to Yahweh is not certain, but it must also be admitted that a deity [822] who appears on the coins of a state is probably one whom the state worships. The burden of proof is therefore on those who would deny the identification of the coin deity with Yahweh. And there is a little evidence in favor of the identification. A figure which may be a satyr holding a lyre is represented by a graffito in a Yahwist burial cave, probably of the Persian period, at Beit Lei.[21] It seems likely that before the Maccabean revolt in 168 Yahweh was identified in Jerusalem with Zeus and Dionysus and was worshipped there in forms normally used for the worship of both these gods.[22] (If so, we have here the same combination of pagan elements as appeared on the coin). Bickerman has argued strongly that these ceremonies were introduced by hellenizers among the Jerusalem priesthood, not by outside influence.[23] His case is strengthened, first, by the fact that when the Maccabees came to introduce their (counter?) festival of Hanukkah they introduced some Dionysiac elements.[24] Evidently these were popular. In the second place there is the report concerning Jewish worship of (Dionysus-)Sabazius in Rome before [823] 139 B.C., a report which Bickerman has also explained as due to the Jews' identification of Yahweh with a deity better known to their neighbors.[25] Similar Jewish "interpretation" of Yahweh probably lay behind the opinion which Tacitus rejected and Plutarch approved.[26] Plutarch's approval is too well grounded to be based on his own knowledge. His reading did not extend to the Septuagint, nor his experience to the ceremonies of the inner courts of the Jerusalem temple, from which gentiles were excluded. How did he know that the High Priest had to wear bells on his cope (Exod 39:25f.) or that honey was prohibited in sacrifices to Yahweh (Lev 2:11)? His own misinformation, or that of some gentile source, has corrupted his argument, but is not sufficient to account for it. Its presumably Jewish source therefore serves to strengthen Bickerman's theory that it was the Jews of Italy who represented Yahweh as Sabazius in 139 B.C. A century later we find the ivy wreath and grapes on the coins of Antigonus Mattathias (40-37);[27] then, over the entrance of Herod's temple, the great golden vine which seemed to some a proof that the resident deity was Dionysus.[28] After this comes the coinage of the Jewish revolts in 66-73 and 132-35, with its chalices and amphorae, vine leaves and grape clusters.[29] (The lyre on the coins of the second revolt recalls the one in the hands of the satyr in the Beit Lei burial cave.) [Pausanias had heard of some shrine in Palestine which was said to be the tomb of a Silenus (6.24.8).] The [824] evidence of the coins is continued by the decoration of Palestinian tombs and synagogues, much of it using the familiar Dionysiac vocabulary.[30]

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[20] On the connection of Dionysos-Iakchos with Triptolemus see W. Roscher, *Ausführliches Lexikon der gr. und röm. Mythologie* (Leipzig, 1916-24) vol. V. E. Fehrle's article, "Triptolemos", cols. 1128ff. esp. 1128f., and 1131. M. Nilsson, *Geschichte der gr. Religion,* 2nd ed. (Munich, 1955), p. 586. The winged-wheel chariot of the coin appears as the chariot of Triptolemus in, e.g., E. Tillyard, *The Hope Vases* (Cambridge, 1923), pl. 8, no. 86; pl. 19, no. 120; N. Alfieri and P. Arias, *Spina* (München, 1958), nos. 22 and 35; K. Kerényi, *Die Mysterien von Eleusis* (Zürich, 1962), Tafel 35 (the Elusinian relief from Mondragone). [Triptolemus in his serpent chariot is identified as IAO on a number of magical gems, notably a yellow jasper in the British Museum].

[21] J. Naveh, "Old Hebrew Inscriptions in a Burial Cave," *Israel Exploration Journal* 13 (1963), 74ff. Unlike Naveh's drawing of the figure (p. 77) the stone shows goat legs and feet, with horizontal base lines below the pointed hooves. I prefer the pottery dating (Persian period) to the proposed "palaeographical" dating (eighth century B.C.).

[22] The sacrifices of pigs, 1 Macc 1:47, suggests Dionysus (F. Abel, *Les Livres des Maccabées,* Paris, 1949, ad loc.; E. Bickermann, *Der Gott der Makkabäer,* Berlin, 1937, p. 134 and n. 3). 2 Macc 6:7 reports the introduction of Dionysiac ceremonies, notably processions in which the participants were crowned with ivy. Abel, ad loc., suggests a pagan development of Sukkoth.

[23] *Gott,* 126-36; contrast I. Heinemann, "Wer veranlasste den Glaubenszwang der Makkabäerzeit?", *MGWJ* N.F. 46 (1938), 145ff. Abel, in his commentary, compromises, admitting both royal inspiration and local initiative; so also in his *Histoire de la Palestine,* I (Paris, 1962), 109-132.

[24] 2 Macc 10:7, the procession with thyrsi.

[25] Valerius Maximus 1.3.2, discussed by Bickerman, "The Altars of Gentiles," *Revue internationale des droits de l'antiquité,* 3^{e} ser., V (1958), 144ff. I can see no reason to suppose that these Jews, in spite of the way they identified their god, must have been "orthodox" in other respects.

The popularity of the cult of Dionysus in Palestine, the sense which pagans found in these symbols (as shown by the interpretations already cited) and the frequency with which these symbols were used on religious buildings and funerary objects (where ancient decoration was commonly significant)—these factors taken together make it incredible that these symbols were meaningless to the Jews who used them. The history of their use shows a persistent association with Yahweh of attributes of the wine god. This association explains why some Jews identified the two deities, others at least chose Dionysus as the *interpretatio graeca* of Yahweh, and yet others contrasted Yahweh—or his *logos*—as the true vine, with Dionysus, the false one.

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[26] Tacitus, *Historiae* 5.5, end; Plutarch, *Quaestiones Convivales* 4.5, end, and 6.

[27] A. Reifenberg, *Ancient Jewish Coins,* 2nd ed. (Jerusalem, 1947), p. 42 and pl. III.

[28] Tacitus, loc. cit.; cp. Josephus, *War* 5.210; *Antiquities* 15.395. The uncertainty as to Tacitus' sources is demonstrated at length by A. Hospers-Jansen, *Tacitus over de Joden* (Groningen, 1949), pp. 110ff. Lydus, *De mensibus* IV. 53 probably reflects Tacitus.

[29] For 66-73, L. Kadman, *The Coins of the Jewish War of 66-73* (Jerusalem, 1960) *(Corpus Nummorum Palaestinensium,* 2nd. series, III); for 132-135, S. Yeivin, *Milḥemet Bar Kokba* (Jerusalem, 1957), pl. 3; the best prints are in Goodenough, *Symbols,* III, nos. 677-699.

[30] Goodenough, *Symbols,* III, nos. 24, 232, 477, 487, 488, 489, 516, 537, 550, 564, 619, 620, 622—a list limited to clear cases.

If we now look for the source of this association we are led back to very early Biblical material. For it cannot be supposed that the wine god came to Palestine only with the Greeks—not even though the Greeks came there in the second millennium B.C., as their pottery indicates. Palestine was presumably a grape growing country from time immemorial, and the god was doubtless as old as the use of his gifts. If Biblical story (Exod 6:3) is to be believed Yahweh was the new-comer in the country. His association with the wine god—and with other deities—will have begun with the conquest or shortly after. By the time of our earliest Biblical texts he had become a rather complex concept: he had been completely syncretized with El, Elyon, and Shaddai; with other deities, like Tsur, Gad, and Am, his relations were certainly close. As for the wine god(s)—such phenomena as the Rekhabite reaction[31] and, even more, the survival of the nazirate as the *status perfectionis* of a man devoted to Yahweh,[32] indicate that Yahweh's ori[825] ginal attitude to wine was not a friendly one. Down to the time of Hosea, most Israelites believed that wine was given by Baal, not Yahweh.[33] On the other hand, the author of Judges 21:19ff. thought that in the time of the Judges the girls of Shiloh already went out to dance in the vineyards on the feast of Yahweh—as they still did in the time of the Mishnah (Ta'anit 4:8); the legend of Jepthah's daughter looks like a nationalistic explanation of a maenadic custom;[34] wine, though secondary in sacrifices to Yahweh, became an accepted element in them after the tribes settled down;[35] and there is no doubt that one of the original elements of Sukkoth was a vintage festival. Plutarch's source and his own judgment were right about this—the feast was certainly sacred to a wine god. But who was this wine god, and where did he first become associated with Yahweh?

It is possible that a partial[36] answer to these questions may be found in Genesis 18:1-15, the myth of Abraham's entertaining Yahweh and two angels and receiving as a reward the promise of a son from Sarah. Ever since the time of Delitzsch[37] this myth has been recognized as an example of a common type, known from many Greek and Roman parallels. Numerous scholars have [826] remarked that the myth presumably was that of the sanctuary of Hebron—the center of a grape growing district, as Skinner observes—and many have thought it pre-Yahwist, since it tells of the appearance of three deities, not one. The Yahwist retelling, with its change from the plural to the singular, has created difficulties in the text.[38] It is not improbable that the three deities and their host, the original hero of the shrine (who may or may not have been named Abraham) made up the "four" referred to in the ancient name—or nickname—of Hebron, *Ḳiryat ha'arba',* "the city of the four,"[39] commonly syncopated to *Ḳiryat 'arba'.* And it is not unlikely that the three deities may be the three giants whom the Yahwist hero Caleb drove out of Hebron when he took it (Josh 15:14; Judges 1:20; cp. Josh 11:21f.; 14:15).

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[31] Jeremiah 35:1-11, cp. Diodorus Siculus 19.94; R. de Vaux, *Ancient Israel,* tr. J. McHugh (London, 1961), pp. 14f.

[32] Numbers 6:1-21.

[33] Hosea 2:7, 10 (Hebrew).

[34] Judges 11:40.

[35] R. de Vaux, *Studies in Old Testament Sacrifice* (Cardiff, 1964), p. 41.

[36] Partial, because there were doubtless many wine gods in Palestine and the history of Yahweh's relation to them will have been different in every district. In Gen 18:1-15 we have the Hebron legend, and Hebron was an important center of the cult, but not the only one.

[37] T. Gaster, *Myth, Legend, and Custom in the Old Testament* (New York, 1969), pp. 156f.; F. Delitzsch, *A New Commentary on Genesis* (Edinburgh, 1894), II, 44; further development by H. Gunkel, *Genesis,* 4th ed. (Göttingen, 1917) *(GHKAT* I. 1) ad loc.; followed with minor additions by J. Skinner, *A Critical and Exegetical Commentary on*

The names of the three figures at Hebron differ from one Biblical source to another, for reasons we cannot now discern. In one set of stories they are Sheshai, Ahiman, and Talmai, Aramaic names which, as Moore remarked, tell us nothing.[40] In Gen 14:13, however, they are Mamre, Eshkol, and Aner, all of whom made a covenant with Abraham (as did the deity who appeared to him in Hebron, if Gen 15:18 or 17:1-27 is to be associated with that shrine). Of these, Mamre and Eshkol had their individual holy places, Mamre at his oak grove and sacred well, modern Ramet el Ḥalil, just outside Hebron, Eshkol in his valley famous for its grape vines—his name means "grape cluster." The story in Numbers 13:23f. of the spies who returned from Eshkol's valley carrying one great cluster of grapes hung from a pole between two [827] men may have had its background in a conventional

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Genesis, revised ed. (New York, 1925), p. 302; C. Simpson, *Genesis,* in *The Interpreter's Bible* (New York, 1952); G. von Rad, *Das erste Buch Mose,* 5th ed. (Göttingen, 1958) (*ATD* 2/4); both ad loc. The earlier commentaries, especially, cite numerous Greek and Roman parallels, reflecting the happier days of Biblical scholarship, before the specialization of "ancient near eastern" studies had entailed ignorance of half the Old Testament's *Umwelt.*

[38] See the variants to vss. 3, 9, etc.

[39] *Kiryath ha 'arba',* only in Gen. 35:27 and Neh 11:25; *kiryath 'arba',* Gen 22:2; Josh 14:15; 15:13, 54; 20:7; 21:11; Judges 1:10. See B. Mazar, "2. Ḥevron", *Encyclopaedia Biblica* III (1958), 16ff.

[40] G. Moore, *A Critical and Exegetical Commentary on Judges,* (Edinburgh, 1895), pp. 22ff. on Judges 1:10. The names occur also in Num 13:22 and Josh 15:14; Moore discusses the development of the story and the genealogy of the giants. It may be remarked that the common theory of the city's origin from a union of four villages (so Moore and Mazar) is not contradicted by the theory that four deities were worshipped there; in fact, the two are complementary, since the four deities can be explained from the four towns.

group in the ceremonial procession of some wine god's festival.[41] The importance of the grape cluster along the Palestinian coast is attested by the frequency with which it was used there as an amulet; most of the preserved examples are from hellenistic strata, but some are earlier.[42] Moreover, the connection of the wine god of Hebron with the wine god of Tyre is argued by the fact that both Hebron (Mamre) and Tyre were the sites of famous *yerids*—fertility festivals which also served as fairs. The main ceremony of these *yerids* was one of water-pouring, like that attached to the feast of Sukkoth in Jerusalem.[43]

Yahweh's appropriation of the functions, attributes, and rituals of the wine god did not, of course, put an end to the latter's worship. We have already seen that it persisted among Israelites to the time of Hosea and was still widespread among Palestinian pagans in Roman times. How closely it was, even then, associated with both Jewish and Christian worship is shown by a description of the cults at Mam(b)re. The description is preserved for us by [828] Sozomen *(Historia ecclesiastica* 2.4.2ff.) but certainly comes from a pre-Constantinian source, for it speaks of the area as almost free of buildings, while Constantine erected a large church there. Sozomen's source says that Jews, Christians, and pagans all reverenced the site, the Jews because of the god who appeared to Abraham, the pagans because of the appearance of the *logos* (with which they identified the deity of Gen 18). Consequently, all frequented the same place,

> "some offering prayers to the supreme god, others calling on 'the angels' and pouring libations of wine and sacrificing incense or an ox or a goat or a sheep or a rooster, for each keeps whatever best animal he has, fattens it up at home through the whole year, and brings it for a feast for himself and his family. And all honor the spot, fearing to be punished by the gods if they did not. Therefore they do not there have connection with

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[41] Compare the reports of the oschophoria at Athens in which two boys disguised as women carried in procession a vine branch with grapes from the temple of Dionysus to that of Athena Skiras, M. Nilsson, *Geschichte der gr. Religion,* 2nd ed. (Munich, 1955), pp. 125, 530 n. 3, 586. Nilsson thinks the branch was hung with grapes as a sort of Maypole. The texts he cites are not consistent in their descriptions of the ceremony. Prof. Gaster has pointed out to me that the ritual cry used in the oschophoria, ἐλελεῦ, ἰού, ἰού, also suggests a Semitic origin; see Plutarch, *Theseus* 22. 3 (with a legendary "explanation").

[42] Unfortunately these are classed as "beads" and not given separate notices in gallery books. Specimens are to be found in the major collections in Jerusalem, Beirut, and Damascus.

[43] The ceremonies were described and their similarities noted by I. Lévy, "Cultes et rites syriens dans le Talmud," *Revue des Études Juives* 48 (1901), 183ff., esp. pp. 192-201 (a reference I owe to Professor Lieberman.) There were also *yerids* at Gaza, Akko, and Heliopolis-Baalbak (ib.) where the cult of Dionysus is commemorated by a famous temple. Of the passages Lévy quotes, Jerome on Jeremiah 31:15 and on Zechariah 3:4-5, end, Lagarde, *Onomastica Sacra,* p. 257 (= Eusebius, *Peri ton topikon onomaton* 114. 16), and *Yerushalmi 'Avodah Zarah* 1:4, end, contain further references to the festival/fair, but nothing to help identify the deity.

> women (although these come, as to a festival, with all their finery) nor do they otherwise indulge themselves, though they all tent together and sleep near each other. For the place is a field and open to the sky and has no buildings save only those built of old by Abraham beside the oak and the adjacent well. At the time of the festival nobody draws water from the well for, in Greek fashion, some put into it burning lamps and some pour in wine, or throw in round, sacrificial cakes, and others, coins or myrrh or incense, and consequently, as might be supposed, the water, having all this stuff in it, becomes useless."

Sozomen then goes on to tell how St. Helena, the mother of Constantine, got wind of these goings on and persuaded Constantine to build a church on the site and prohibit all non-Christian worship. In this report his narrative is based on Eusebius' *Life of Constantine.* From Constantine's letter, as quoted by Eusebius (3.51f.) it appears that there were pagan idols and a pagan altar on the site. These the emperor ordered destroyed. From their destruction—presumably—came the fragments discovered by Mader in his excavation of the site. Of these fragments the one certainly recognizable was a head of Dionysus.[44] Or should we say, Dionysus-Yahweh-Eshkol?

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[44] E. Mader, *Mambre* (Freiburg in Breisgau, 1957) with the review by R. de Vaux, *Revue Biblique* 65 (1958), 594ff., esp. p. 596, to which I owe my awareness of Sozomen and his source.

CHAPTER EIGHTEEN

HELIOS IN PALESTINE

[199] 1. THE GOLD-PLATED STAIRCASE

The Temple Scroll, now available in Yadin's magnificent edition,[1] mostly confirms the impression of the Dead Sea Sect that has become common,[2] i.e. they were a clique of sanctimonious fanatics who became sectarians primarily as a result of their severe interpretations of the Mosaic Law. Other factors—over-confidence in their own interpretations, contempt for those who did not agree with them, pretensions to hobnob with angels, consequent revelations both prophetic and legal, and ultimate remodeling even of the Law to suit their own prejudices—all these, and personal and political conflicts as well, presumably played their parts in the origin and development of the sect, but the root would seem to have been unusually strict adherence to an unusually severe set of legal interpretations, especially in Sabbath and purity law and possibly in that of the calendar.[3] The resultant pattern is one familiar in the history of religions.

However, this genetic account should not be mistaken for a complete description. While the peculiar legal position of the sect was the primary cause of its separation from the rest of Judaism and thus contributed to its other peculiar developments, it can never have been more than one factor in the life of this group. Not to mention economic and emotional necessities, other intellectual interests will have been present, among them, that in supernatural beings, the angels of light and of darkness prominent in the sect's literature. One of Professor Scholem's innumerable discoveries was the relation of the Qumran material to the magical and mystical traditions in the Hekhaloth books.[4] Such factors must have played roles of some importance in the sect's background and development.

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[1] *The Temple Scroll* (ed. Y. Yadin) (Jerusalem 1977), 3 vols. and fascicle of 'Supplementary Plates.' Yadin's achievement is remarkable both in consideration of his other duties, and in comparison with the records of other scholars, some of whom, without any such duties, have now withheld Qumran material from the public for over 25 years.

[2] I shall not document the obvious.

[3] Holding to 1 Nisan as the beginning of the year as well as of the months; unquestionably a conservative position, but perhaps in the history of the sect a secondary development.

[4] *Jewish Gnosticism, Merkabah Mysticism, and Talmudic Tradition*^{2} (New York, 1965), 16-19, 29-30, 48. and esp. 128, the note to p. 29 (on the parallel of Strugnell's 'Angelic Liturgy' to the Hekhaloth texts).

Consequently the points at which works preserved by the sect (whether or not composed by its members) diverge from the Mosaic Law are of interest as evidence either of non-Pentateuchal elements that shaped the development or of abnormal results to which it led. The production of what were intended to be additional books of the Law *(Jubilees* and *The Temple Scroll)* will seem to many modern readers the ultimate divergence. When these books were written, however, the authors did not have behind them a bimillennial tradition of the fixity of the canon. The final redaction of the Pentateuch by the Jerusalem priesthood, probably in the mid-fifth century,[5] was perhaps still a living memory, especially in priestly circles. The yet later revision of Pentateuchal genealogies and of the history of Kings by the authors of Chronicles was almost surely remembered, and the vocabulary of many Dead Sea writers indicates that they were much influenced by the school of the Chroniclers. It is more surprising that the Chroniclers' revision ultimately secured general acceptance than it is that other, more drastic, revisions continued to be produced.

We should therefore not consider the production of a new book of the Law as the one great innovation, but should also look at the other changes. These are of two sorts. Most are mere additions along Pentateuchal lines: The Pentateuch provides for temple vessels, the *Temple Scroll,* for a special structure to house them; the Pentateuch provides for a festival at the offering of the first loaves from the new grain, the *Temple Scroll* adds festivals for the offerings of [200] the new wine, the new oil, and so on. The likes of these are understandable extrapolations from the earlier text.

By contrast, a radical innovation, not explained by anything in the Pentateuch, appears in columns 30-31. First we must notice its place in the structure of the text. The scroll as preserved begins with the Deuteronomic commands to obliterate all Canaanite places of worship and to worship Yahweh alone (col. 2). Then, when Yahweh gives you peace, you are to build him a temple, of which the description seems to begin with the ark (col. 3, line 9) and to move outwards, though this and the following columns are so fragmentary that it is difficult here to be precise about the structure.[6] After the table of shew bread, the incense (col. 8), the Menorah (9), etc., we reach the altar for sacrifices (11-12) and the text turns to a description of the sacrifices, first the daily burnt offering, then special sacrifices for sabbaths, new moons, and festivals (13-29).[7] The rules for sacrifices on the various festivals of the year end with those for Sukkot (col. 29), and with assurance of the blessing that will follow on their performance—Yahweh will dwell in his temple and hallow it with his glory 'until the day of blessing when I myself shall build my [new] temple to establish it for myself forever according to the covenant I made with Jacob in Bethel.'[8]

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[5] M. Smith, *Palestinian Parties and Politics that Shaped the Old Testament* (New York, 1973), 173-82.

[6] The purification basin, which should be outside, appears in col. 6, while in col. 7 we are back in the Holy of Holies discussing the cherubs above the ark.

Herewith[9] the text returns to the building of the sectarians' man-made temple and the first relatively coherent passage reads as follows:

> And you shall make a staircase ... in the temple you are to build ... And you shall make the staircase tower [the *mesibah*] north of the cella [the *hekhal*], a square structure twenty cubits from [outer] corner to corner for [all] its four corners, and seven cubits distant from the cella at its north west [end]. And you shall make the thickness of its wall four cubits [and its height forty cubits][10] as [that of] the cella. And its inside [dimensions] from corner to corner [shall be] twelve [cubits]. And inside there shall be a square pillar in the middle of it, four cubits on each side. [And the structure][11] which surrounds [the pillar shall be] an ascending staircase [to the roof-level of the temple.][12]

Here nine lines have been wholly lost and of five more there are only terminal fragments.[13] That of line 11 reads 'the gate' and that of line 13 'the priest second [in rank],"[14] so it seems likely that the lost lines described some ceremony to be performed in or on the tower. The text then goes on:

> And on the roof of [this] structure [you shall make a gate][15] opening towards the roof of the cella and a walk made from[16] this gate to the

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[7] Beginning with the new year, the first day of the first month. As remarked above (n. 3), this may reflect adhesion to a calendar older than that in the present Pentateuch.

[8] *Ibid.*, lines 2-10 of Yadin's text, II, 90-92. The quotation is from lines 9-10. (My translation, as are all others unless a translator is specified.) Yadin rightly emphasizes (I, 141) that this proves the temple prescribed in the scroll is not that of the End, but is a structure to be erected by the 'Israelites,' i.e. the members of the sect, when they shall be able to do so in the present dispensation.

[9] I cannot agree with Yadin's commentary (II, 92) which supposes that the text lost on the top of col. 30 continued the subject of col. 29. The end of 29 seems a rhetorical conclusion for the whole section on sacrifices.

[10] Yadin's conjecture, filling a break in the text and almost certainly correct.

[11] Restoring *wehabbayith* in the gap in line 10.

[12] Reading *'e[l gag]* at the end of line 10 and conjecturing *hahekhal* as the first word of col. 31.

[13] Yadin's line numeration is deceptive; he counts only lines of which fragments have been preserved or can be conjectured. The manuscript in this section had twenty-two lines to a column, see I, 11, inf.

[14] Yadin's lines 2 and 4. Yadin's conjecture, *hakkohen haggadol,* at the end of line 14 (his line 4) rests only on the final *waw* and *lamed* and his *'el habbayith* at the beginning of line 14 is also uncertain.

[15] Yadin's restorations.

[16] Reading *mi* for Yadin's uncertain *bi.* Even if *bi is* the correct reading it is probably a scribal error; in the script the letters *m* and *b* are closely similar.

> entrance [of the roof of][17] the cella so that one can go by it to the roof of the cella. All this staircase tower you shall plate with gold, its walls and its gates and its roof, inside and out, and its column and its stairs. And you shall do as I tell you in all [details].

From here the text goes on to specifications for the basin for ablutions prescribed by Exodus (30:18; 40:7,30) and described or mentioned by 1 Kings (7:23-26), 2 Chronicles (4:10), and the Mishnah (Middot 3.6). The author of the *Temple Scroll* has a number of ideas for improvements of water supply and disposal, but essentially his feet are now back on traditional *terra firma* and there they stay as he goes on to subsequent provisions—a storehouse for the temple utensils (col. 33), a slaughterhouse for the sacrifices (34), a wardrobe for the priests (?, 35), the dimensions of the altar court (36), etc. All these, as said above, are essentially extrapolations from the requirements made by the Pentateuch. They show some peculiar legal interpretations and considerable freedom in prescribing architectural adjustments, but nothing radically new.

By contrast, the staircase-tower has no basis whatever in the Old Testament and has left no trace in the Mishnah. Yadin finds anticipations in the references to stairs from one story to another of the rooms along the outer walls of the cella of Solomon's temple (1 Kings 6:8), and [201] of Ezekiel's (41:7), but he is forced to admit that these reflect wholly different architectural forms (I, 166). In the Mishnah the route to the upper story of the temple consisted of three long, straight staircases along the walls, by which one was led around three sides of the temple; one entered from ground level at the northeast corner, and emerged at the southeast on the level of the upper chamber, where there were two posts by which one could climb to the roof (Middot 4.5). Because these staircases went around the cella they were called a *mesibah,* like the stair in the *Temple Scroll,* but the similarity of name cannot conceal the complete architectural discrepancy. Josephus' account of Solomon's temple reports a staircase in the thickness of the wall (*Ant.* 8.70); again, as Yadin observed (I, 167) this is totally different from the structure in the *Temple Scroll.* A closer parallel was found by Yadin in the description of the New Jerusalem from Qumran cave 5[18] where spiral staircases of almost the same dimensions as that described in our passage flank gateways to the city and to its inner insulae and lead to the roofs of the gates and/or adjacent walls. Similar staircases stand beside the gates to the outer court in the *Temple Scroll* 42, 7-8, and at least these latter seem to be conceived as free-standing structures, like that beside the cella.[19] At all events the three passages suffice to show that the corkscrew staircase built around a square central pillar was an architectural form favored by the visionaries of the Dead Sea documents.

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[17] Yadin's restoration.

[18] *5Q15,* col. II, lines 2-5, cf. col. I, 13, in *Discoveries in the Judean Desert of Jordan III,* ed. by J. Milik et al. (Oxford, 1962), I, 189-92.

This is not surprising when the form occurs within a building made almost wholly of stone, like a city wall. Stone walls are expensive, and no other form of staircase requires so little walling, especially if set in a corner of outer walls which had to be built anyhow. But when located outside the building, as a completely separate structure of which the chief function would seem to be that of giving access only to the building's roof, it becomes the most expensive possible form of staircase. When, besides this, it is to be gold plated, inside and outside, it becomes equally conspicuous as a budgetary item and an historical problem.

Standing just inside the gates of city walls such towers (without gold plating) might have military justification as means by which defenders could get up to or down from the tops of the walls even if the enemy had broken into the outer chambers of the adjacent gates. But this does nothing to explain such a tower beside the cella of the temple. Nor is it to be explained as the only means of providing a staircase for a building of which the original plan had none and was unalterable, *qua* sacred. In fact other, less expensive forms of outside and inside staircases were possible, as Kings, Josephus, and the Mishnah show. Consequently we should look at the architectural remains of late Hellenistic and early Roman Palestine and vicinity, to see whether and where such structures actually occurred.

This was done, apparently without knowledge of the *Temple Scroll,* by A. Negev, in his article, 'The Staircase-Tower in Nabatean Architecture,' *Revue Biblique* 80 (1973), 364-82 (henceforth 'Staircase-Tower'). Defining 'the staircase-tower' as 'a staircase of a special type... the typical element of which was a square tower in the center of which stands a solid pier' (p. 364), Negev found that this appears first, about 175 BC, in the *Oasr el 'abd,* the Tobiad temple in Transjordan, next in the early first century BC at Qumran, and in a Hasmonean structure near Jerusalem, in the late first century BC at Masada, and from then on in most Nabatean temples in the Negev, Transjordan, and the Hauran, whence it passes to South Syria and Lebanon (p. 379). Unfortunately, these conclusions need careful checking. In the first place, Negev did not distinguish between free-standing towers and those built inside the structures they served. However, the staircase spiraling around a central core is a fairly simple invention which might be expected to appear independently at many times and places, while the erection of a separate staircase tower to give access to the top of a nearby temple is a peculiar procedure of which the rare instances might well be related. Admittedly, there will be borderline cases. The tower of *Qasr el 'abd,* for instance, had only one side in common with its temple; a [202] second side flanked a porch with columns *in antis;* the whole must have added greatly to the expense of the structure. Consequently it seems a possible parallel to the *Temple Scroll* tower, though its placement in relation to the cella was different.[20] Further, Negev's archaeological examples sometimes seem not to fit his requirements. For example, the tower at Qumran, as described by de Vaux, did contain a circular staircase but was by no means a 'staircase-tower.' The stair was perhaps of wood, occupied only one small corner of the structure, and served not for ascent from outside, but for descent from the upper story to a lower storeroom that had no outside entrance.[21] Nevertheless, like the tower of the *Temple Scroll,* its upper story opened onto a bridge that connected it with the roof of the rooms used for assembly, i.e., the 'temple', of the sect,[22] and, also like the tower of the *Temple Scroll,* it stood on the north side of this 'temple.' Apparently the architectural history of staircase towers requires a separate study (and in this numismatics may be helpful).[23]

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[19] The former may be conceived as built inside the (double?) walls. The texts are not clear, but this is suggested by the fact that their outer dimensions are not given, only their inner.

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[20] M. Brett, 'The *Qasr el 'abd:* A Proposed Reconstruction,' *BASOR* 171 (1963), 39-45, with plans on pp. 41 and 43. The cella here faced north and the tower stood at the north-east corner, by the entrance, while the cella of the *Temple Scroll* faced east and the tower stood by its north-west corner, see the plan in Yadin I, 159.

[21] R. de Vaux, *L'Archéologie et les manuscrits de la Mer Morte* (Schweich Lectures, 1959) (London, 1961), 5.

[22] So I understand de Vaux, *ibid.* His description is not perfectly clear. Was the 'terrace' reached by the bridge from the roof of room 4? I suppose so.

[23] R. Ami, 'Temples a Escaliers,' *Syria* 28 (1950), 82-136, and S. Downey, 'Temples a Escaliers: the Dura Evidence,' *CSCA* 9 (1976), 21-39, consider all types of temples containing staircases. Since life on the roof has been a common characteristic of near eastern culture from immemorial times, we should be more surprised when near eastern temples do not contain staircases to the roof than when they do. Consequently it seems unlikely that the presence of a staircase will distinguish a significant category. For numismatic evidence see M. Price and B. Trell, *Coins and their Cities* (London. 1977), especially 117-119, on the roles of towers in religion, and, for representations of towers with temples, figs. 285 (= p. 13), Capitolias; 288, Abila; 302? (= p. 172), Neapolis; 429 ?, Anzarbus; and 502, Isauria; compare 432, Rome (contiguous colonnades instead of towers). Some coins of Tripolis show side by side two structures of which one is clearly a temple, the other in some specimens looks like a tower and reaches exactly to the eaves of the temple. On better specimens, however, the lower structure also seems to be a temple and since the city had two great gods, Astarte and Zeus Hagios, I suppose these coins show the temples of both; cp. G. Hill, *Catalogue of the Creek Coins of Phoenicia* (London, 1910), Pls. XXVII, 14, and XLIII, 11 and 12, and p. 214; R. Dussaud, *Topographie historique de la Syrie* (Paris, 1927), 76 and n. 4. Other coins that may be relevant are *Sylloge Nummorum Graecorurn ... Danish National Museum 37. Phoenicia,*

But the evidence will have to be limited carefully to what seems strictly relevant. It would not do to consider all towers that stood beside temples—for instance, ziggurats. What is needed here is evidence of towers that served as means of access to the temple's roof as did the Nabatean ones.

This leads to the question, what did they want to do on the roof? The Mishnah says nothing of that, but does refer to workmen going through the upper story to get at the Holy of Holies (Middot 4.5 end). The picture of a procession of cleaning men solemnly ascending a gold plated stair-tower built solely for this purpose is, however, implausible. Far better was the explanation advanced by Negev for the Nabatean towers; he wrote, "It seems that Ami was right [in the study cited by the preceding note] in suggesting that the staircase-tower fulfilled an important function in the ritual of the temple... A hint of a ritual which took place on the roofs of the houses may be found in... Strabo *(Geog.* 783 = 16.4.26, end) who tells us that the Nabateans worshipped the sun and built altars on the roofs of their houses on which libations were poured and incense burnt" ('Staircase-Tower' 380; he had already shown that such staircase towers were also common in Nabatean private houses from the first and second centuries AD). This accords again with the numismatic evidence; Price-Trell (supra, n. 23) present a number of coins showing altars on temple roofs (e.g., Figs. 38, 51, 288). It also accords with common sense; the great expense of the proposed building and its symbolic gilding require some ritual use of the most solemn and important sort, but no hint of the ritual appears either in the Pentateuch or in the *Temple Scroll.* This silence cannot be accidental. The gold plated staircase leads directly to the mystery of the rooftop worship.

II. THE EVIDENCE OF JOSEPHUS

This mystery is almost perspicuous. The only gods one goes to the roof to worship are the gods of the heavens, particularly those visible there—heaven itself and the celestial bodies. Of these the sun seems the most likely to have been worshipped by the Qumran sect, since Josephus reports that the Essenes "are particularly reverent towards the divinity [*to theion*] for, before the Sun rises, they say nothing of profane things, but [only] certain ancestral prayers to him, as beseeching [him] to rise" (*War* 2.128). This scandalized Saint

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Pl. 10, no. 379, and the coins of Neapolis, of which the best reproduction is cited above (Price-Trell, 172). I do not know why G. Hill, *Catalogue of the Greek Coins of Palestine* (London, 1914), 48, (followed by Price-Trell, 173) identified the structure beside the hilltop temple as an altar. It looks more like a tower. Cp. also Downey, 22, on no. 214 of H. Ingholt et al., *Recueil des Tessères de Palmyre* (Paris, 1955).

Hipolytus the antipope; when paraphrasing it in the *Philosophumena* he concealed the reference by describing the Essenes as "uttering nothing [in the day] if they do not first hymn the God."[24] Similarly the Latin translator of the *War* rendered *to theion* by *Deum* and changed 'arise' to 'shine forth' or 'give light' *(illucescat)* thereby making it possible to understand the prayers as directed to 'God.'[25] Hegesippus omitted the whole section.

A series of modern scholars—Rapoport, Frankel, Graetz, Ginsburg, Derenbourg[26]—also perceived the difficulty and disposed of it with Talmudic learning and logic; they argued as follows: The prayer of the Essenes was said before sunrise. The Pharisees said the *Shema'* before sunrise. Therefore the prayer of the Essenes was the *Shema'*.[27] This argument was [203] demolished by Zeller's observation that if the prayer had been the ordinary Jewish morning prayer Josephus would not have referred to it as a peculiar practice of the Essenes,[28] and again by Lightfoot's remark that Josephus "says plainly that they [the Essenes] addressed prayers to the sun, and it is difficult to suppose that he has wantonly introduced a dash of paganism into his picture."[29] Lightfoot also pointed out that prayers to the sun were consistent with Josephus' report that the Essenes bury their excrement "so as not to insult the rays of the god."[30] This report is the more remarkable because the Biblical commandment which the Essenes thus observed, Deut 23:14-15, says nothing about 'the rays,' but justified the practice by stating that "Yahweh your God goes about in the midst of your camp ... so your camp is to be holy, in order that he should not see any shameful thing among you and leave you." Josephus' report thus seems to derive from an equation of Yahweh with the Sun God, present in his rays. Lightfoot said nothing of the equation, but commented on the practice, "We cannot indeed suppose that they regarded the sun as more than a symbol of the unseen power who gives light and life; but their outward demonstrations of reverence were sufficiently prominent to attach to them, or to a sect derived from them, the epithet of 'Sun worshippers,' and some connection with the characteristic feature of Parsee devotion at once suggests itself."[31] Zeller, on the other hand, argued persuasively for relation to Neopythagoreanism, and more accurately described the implication of this worship, viz.: that the Essenes "saw, in the sun, more than a mere natural object, ... [rather] a living being endowed with its own power and holiness."[32]

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[24] *Philosophumena* 9.21. S. Cohen, *Josephus in Galilee and Rome* (Leiden 1979; *Columbia Studies* VIII), 31-47, has persuaded me that I was probably mistaken in supposing Hippolytus independent of Josephus *(HUCA* 29 [1958], 273-313); had they merely drawn from a common source, the text of Josephus, who usually paraphrased, would probably not show so many close parallels to that of Hippolytus, who usually quoted rather accurately.

[25] This interpretation is not possible in Greek, where *eis auton* must refer to the masculine sun, not to the neuter divinity.

[26] For the opinions of Rapoport, Frankel, and Ginsburg I depend on J. Lightfoot, *St. Paul's Epistles to the Colossians and to Philemon* (2 ed., London, 1879), 87-88 and 374, with bibliography on 84. For the others see H. Graetz, *Geschichte der Juden* III (5th ed., ed. M. Brann) (Leipzig, 1905), i, 93; J. Derenbourg, *Essai sur l'Histoire et la Géographie de la Palestine* (Paris, 1867), 169, n. 2.

[27] On Lieberman's correction of this argument, see infra, n. 43.

[28] E. Zeller, *Die Philosophie der Griechen* III (5th ed., Leipzig 1923) ii, 324, n. 1.

[29] Lightfoot (supra, n. 26), 372.

[30] *War* 2. 148f.; Lightfoot (supra, n. 26), 87, n. 2, shows by numerous classical parallels that 'the god' here means 'the sun god,' and observes that Hippolytus omitted the words. (He might also have observed that their omission makes nonsense of the sentence.) The Jewish pseudo-Phokylides thought the sun should not be polluted by exposure of dead bodies (line 101, ed. van der Horst, p. 183, with classical parallels).

E. Schürer[33] followed in part Lightfoot, in part Zeller; Bauer[34] and Bousset-Gressmann[35] followed Lightfoot. Zeller's theory of Neopythagorean influence on the Essenes was supported by Wellmann,[36] Cumont,[37] and Lagrange,[38] and carried to extremes in the work of I. Levy.[39] Then came the discovery of the Dead Sea documents revealing the predominance of Semitic material in the sect's literature and so turning the subject over to Semitists. Of these Dupont-Sommer continued to take Josephus' statement at face value, and to postulate Pythagorean influence.[40] The prevalent interpretations, however, are represented by the commentaries of

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[31] Lightfoot (supra, n. 26), 87-88, citing Epiphanius, *Panarion* 19.2; 20.3; 53.1f.; cp. 30.3: "The Ossenoi went over from Judaism into the heresy of the Sampsaeans" and "The [name of the] Sampsaeans is interpreted 'Sun-worshippers.'" Lightfoot (87, n. 3) comments, 'from the Hebrew *shemesh* "the sun"'. He observes later (374) that, "Epiphanius speaks of ... the Sampsaeans or 'Sun-worshippers' as existing in his own time in Peraea on the borders of Moab and on the shores of the Dead Sea."

[32] Zeller (supra, n. 28), 334; the argument runs from 307 to 377.

[33] *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi* II (3rd/4th ed., Leipzig, 1901-11), 675-76, with the unlikely conjecture that the prayers were *eis ton helion* because spoken facing the sun (which was not yet risen). However, he commented, this orientation for prayer accorded with pagan practice, not Jewish (towards the Temple) so even though they prayed only towards the sun "because they saw in it the representation of the divine light" their practice betrayed alien, Pythagorean influence, as argued by Zeller—a comment derived rather from diplomacy than from knowledge.

[34] W. Bauer, 'Essener' *RE Suppl.* 4 (1924), 386-430, esp. col. 428.

[35] W. Bousset, *Die Religion des Judentums im späthellenistischen Zeitalter* (Handuch zum Neuen Testament, 21) (3 ed., ed. H. Gressmann) (Tübingen, 1926), 464, referring also to the Heliognosti, placed next to the Essenes in Philaster, *Diversarum hereseon* 10. ('Heliognosti' is the reading of F. Marx' edition; he cites no variants. Is Bousset's 'Heliognostici' a slip?) Bousset thought the prayer to the sun showed undeniable polytheistic influence, and the fear to pollute its rays seemed to him 'echt orientalisch (babylonisch-iranisch)'—this without notice of the many classical parallels.

[36] M. Wellmann, "Die Physika des Bolos Demokritos," *ADAW* (1928), 7.

[37] F. Cumont, "Esséniens et Pythagoriciens," *CRAI* (1930), 99-112.

[38] M. Lagrange, *Le Judaïsme avant Jésus-Christ* (Paris, 1931).

[39] *La Légende de Pythagore* (Bibl. de l'Ecole des Hautes Etudes, 250) (Paris, 1927).

[40] A. Dupont-Sommer, "Le problème des influences étrangères sur la secte juive de Qoumrân," *Rev. d'Hist. et de Phil Relig.* 35 (1955), 86-90.

Bauernfeind-Michel and Simḥoni, of which the first declares that the Essenes saw the sun as "a representative of the enlightening and healing power of the divine Spirit and thereby of God himself," as evidenced by the Qumran *Hodayot* iv, 5-6. ('I shall praise thee, Lord, for thou hast enlightened my countenance by thy covenant and from... [thy commandments, etc.?] I shall search thee out, and, sure as the dawn, thou hast revealed [thyself?] to me by this light,' cp. line 23.) "Josephus, in our passage, expressed himself badly; his words might give the impression that the Essenes honored the sun as a divine being."[41] Even worse is Simḥoni, "Josephus' expression here is not accurate." Epiphanius is "wholly unreliable" and, anyhow, writes of both *Essenoi* and *Ossaioi* but reports sun worship only of the latter. It is more plausible to believe that the Essenes were the 'old stalwarts' of the Babylonian Talmud, Berakot 9b, who made a point of finishing the *Shema'* at sunrise, etc.[42]—obstinate reassertion of the position of "most Jewish interpreters." More subtly S. Lieberman has suggested that these interpreters had in mind, not the *Shema'*, but "the benediction over the luminaries recited by the Pharisees every morning at dawn."[43] This benediction, he points out, was sometimes terminated by Isaiah 60:1 ("Arise, shine, for thy light is come," etc.) and this verse "could certainly be taken by Josephus as a real invocation of the sun as if entreating it to rise."[44] However, Lieberman also quotes the opinion of Rabbi Judah (fl. AD 150) that "If anyone says a blessing over the sun—this is a heterodox practice."[45] This opinion Lieberman takes as a reference to the Essene custom. Since blessing the deity is the most conspicuous form of Jewish prayer, Rabbi Judah's condemnation of the practice may indicate that Josephus' understanding of it was correct. Hengel predictably follows Bauernfeind-Michel.[46] [204]

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[41] O. Michel and O. Bauernfeind, eds., *Flavius Josephus, De bello judaico I (2* ed., München, 1962), 432, n. 44.

[42] Y. Simḥoni, ed., *Yosef ben Matityahu, Toledot Milḥemet Hayehudim 'im Haroma'im* (Ramat Gan, 1968), 422-25 (Hebrew).

[43] S. Lieberman, 'Light on the Cave Scrolls from Rabbinic Sources,' *Proc. Am. Acad. Jewish Research* 20 (1951), 399 (reprinted in *Texts and Studies* [New York, 1974], 194). Whatever they had in mind, the earlier Jewish scholars argued from rules requiring recitation of the *Shema'*, and at least Derenbourg and Graetz *(locc. citt.,* supra, n. 26) specified the Essene prayer in question as the *Shema'*.

[44] Lieberman (supra, n. 43), 195.

[45] Tosefta Berakot 7. 6; T. Terumot 7.11 end.

[46] Not to mention his other 'authorities.' M. Hengel, *Judentum und Hellenismus* (Wissenschaftliche Unters. zum NT, 10) (Tübingen, 1969), 432, n. 753. Among other desperate devices, J. Strugnell, "Flavius Josephus and the Essenes," *JBL* 77 (1958), 112, proposed to take *eis auton* of the Essenes' physical position—they said their prayers *'facing'* the sun, but not 'to him.' Besides being implausible, this forgets "as entreating him to rise," where the sun is the only possible object of the entreaty.

III. THE EVIDENCE OF PALESTINIAN CULTURE

Current acceptance of such interpretations results mainly from the difficulty of reconciling Josephus' statement with the evidence from Qumran. From that evidence the Dead Sea Sect, commonly equated with the Essenes, appears *prima facie* as described above in section I—an organization for meticulous observance of the Mosaic Law, including its prohibition of the worship of any god save Yahweh. Moreover the pervasive concern for Jewish purity laws, the hostility to Jews who do not follow the rules of the sect (and *a fortiori* to gentiles), and the tiny proportion of Greek to Hebrew and Aramaic material in the finds at Qumran, all make it implausible to suppose that Neopythagorean teachings were known to the members of the sect.

However (to take this last objection first) there is no reason to derive the prayers to the sun from Neopythagorean influence. Sun worship was one of the most prominent elements in the neighboring religion of Egypt, in Syria it increased steadily during Greek and Roman times, and it was also important in Transjordan.[47] Tacitus remarked that the Roman soldiers who hailed the rising sun at the battle of Cremona (AD 69) followed the Syrian custom; they had picked it up during service there.[48]

In Palestine itself sun worship was well established before the Israelite invasion, as shown by the three towns called *Beth Shemesh* ('Temple of the Sun'), perhaps an *'Ir Shemesh* ('City of the Sun'), and certainly an *'En Shemesh* ('Spring of the Sun')[49]—names not likely to have been given them by invaders devoted to Yahweh. One of the heroes of early Israelite legend was Samson *(Shimshon,* from *Shemesh,* approximately, 'Sunman') whose adventures have been patriotically retold in Judges 13-16. The Israelites of course shared the common ancient belief[50] that the sun, moon, and stars were living beings. Yahwist theologians declared the sun had been created "to rule over the day" (Gen 1:16; Ps 136:8) and poets described him as a bridegroom coming out of the bedchamber (Ps 19:6—hardly apt; the sun rarely appears exhausted). Sun and moon were called on to praise Yahweh (Ps 148:3; Dan 3:62 LXX) and the sun was cited as an example of obedience (Ps 104:19—knows when he ought to rise, and rises accordingly). The sun was also, as throughout the ancient Near East, the great witness. When the Israelites worshipped the Baal of Pe'or "Yahweh said to Moses, 'Take all the leaders of the people and impale them to Yahweh before the Sun'" (Num. 25:4). When David sinned with Bath Sheba, the prophet Nathan told him, "Thus saith Yahweh... 'I shall take your wives before your eyes and give them to your companion, and he shall lie with your wives before the eyes of this Sun, for you acted secretly, but I shall do this thing before all Israel and before the Sun'" (2 Sam 12:11-12). Accordingly it is not surprising that many Israelites, like their neighbors, worshipped the sun, and commonly did so on the roofs of their houses. Prophets of the Yahweh-alone party often complain of the practice (Jer 8:2; 19:13; Zeph 1:5); party historians report it (1 Kings 21:3); lawgivers warn against it (Deut 4:19; 17:3), and the author of Job, to prove his hero's devotion to Yahweh alone, makes him boast that he never kissed his hand to the sun—evidently ordinary people did.[51] This worship is also attested by Palestinian seals of the monarchic period.[52] It was not only private; priests seem to have been appointed by the kings to maintain it in the cities of Judea;[53] altars to the sun, moon, and stars stood in both courts of the Jerusalem temple (2 Kings 21:5) and on its roof (2 Kings 23:12), and horses and a chariot given to the sun by the kings of Judah were brought into the temple, presumably for use in the ritual (2 Kings 23:11). These 'abominations' were put down by Josiah in 621, but Josiah was defeated and killed by the Egyptians at Megiddo in 609 and this disaster was probably taken as evidence that his religious reforms were not what the gods wanted. Twenty years later, when Ezekiel envisioned the Jerusalem temple just before its destruction, he saw in the innermost court "between the cella and the altar, some twenty-[205]five men, their backsides to the temple and their faces to the east, prostrating themselves towards the east, to the Sun" (8:16). Only priests should have had access to this area. The participation of priests of Yahweh in sun worship raises a question as to the original meaning of biblical texts in which Yahweh (?) is spoken of as the sun, e.g. Malachi 3:20, where Yahweh is prophesying the events of the end. "And the righteous Sun will rise on you who fear my name, and healing [will come] in his wings." Everyone knew the Sun had wings; the seals regularly show them.

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[47] For the archaeological evidence for Syria, Transjordan, and Palestine, see H. Seyrig, "Antiquités Syriennes, 95. Le Culte du Soleil en Syrie à l'époque Romaine," *Syria* 48 (1971), 337-73. Strabo's report of the Nabateans' sun worship on the roofs of their houses has been cited above at the end of section 1.

[48] Hist. 3.24-25. Perhaps in commemoration of the victory, Vespasian gave the sun an important place in his coinage. He was the first emperor to do so.

[49] *Beth Shemesh: (1)* in Judah, Josh 15:10; 21:16, 1 Sam 6:9-20; 1 Kings 4:9; 2 Kings 14:11, 13; 1 Chr 6:44; 2 Chr 25:21, 23; 28:18. (2) in Naphtali, Josh 19:38, Judges 1:33. (3) in Issachar, Josh 19:22. *'Ir Shemesh:* Josh 19:41 (where a few MSS and most editors read *'En). 'En Shemesh:* Josh 15:7; 18:17.

[50] Plato, *Apol.* 26d.

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[51] Job 31:25ff. Kissing the hand was a regular form of reverence to a deity. See E. Bickerman, "A propos d'un passage de Charès de Mytilène," *Parola del Passato* 91 (1963), 241-55.

[52] Of the pre-exilic Hebrew seals illustrated in N. Avigad, *"Ḥotam," Encyclopaedia Biblica* III (1958), 68-86 and pl. 3, two show flying scarabs with the sun globe (in one of these, that of Saul, the scarab is adored by two worshippers), and another two show winged solar discs. Further examples in S. Cook, *The Religion of Ancient Palestine in the Light of Archaeology* (London, 1930), 48-52 and pls. VI-IX, XII, XIII, XV (henceforth Cook, *Religion).*

[53] 2 Kings 23:5; the syntax is not clear, but I suppose the priests referred to by both halves of the sentences were royal appointees, and perhaps a single class.

After the fall of Jerusalem we continue to find evidence of sun worship all over Palestine and Transjordan. Most comes from the Roman period, that best represented archaeologically. Seyrig showed that sun-worship in Syria increased during Roman times, thanks to Arabic influence;[54] probably, therefore, some later items in the following list of pagan sites should not be taken as evidence of earlier practice. This list is based only on coinage and items noticed in reading; it is neither exhaustive nor systematic. Jewish and Christian evidence is omitted. Representations of Apollo and Horus-Harpocrates are included, although their solar reference is sometimes dubious; Serapis and Bes are omitted, although often solar. Nevertheless this collection of notes suggests, at least, how widespread various forms of the cult must have been, and how many types of material reflect its popularity.

Aelia Capitolina: Helios radiate on a coin of Hadrian's time, known by report only.[55]

Akhzib: Statuette of Horus as falcon, Persian/Hellenistic, seen in the Museum of the Dept. of Antiquities, Jerusalem.

Akko-Ptolemais: Apollo, on coins of Antiochus VIII and briefly thereafter.[56]

Apollonia: Temple of Apollo-Reshef.[57]

Ascalon: Temple of Apollo, Avi-Yonah, *Gazeteer* 32.

Two Egyptian bronzes of Horus-Harpocrates with sun disc; two Apis bulls with sun discs, 4th cent. BC.[58]

Head of Apollo on coinage, c. 153-152 BC.[59]

Caesarea: Apollo on coins of Hadrian, Marcus, and Trajan Decius, Hill, *GCOP,* pp. 21, 24, 31.

Helios on coins of Herennius Etruscus, Hill, *GCOP,* p. 35.

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[54] Seyrig (supra, n. 47).

[55] L. Kadman, *The Coins of Aelia Capitolina* (Corpus nummorum palestinensium—henceforth *CNPal—I)* (Jerusalem, 1956), 122, no. 1.

[56] L. Kadman, *The Coins of Akko-Ptolemais (CNPal IV)* (Jerusalem, 1961), 100-103.

[57] References collected in M. Avi-Yonah, *Gazetteer of Roman Palestine* (Qedem 5) (Jerusalem, 1976), 30 (henceforth, Avi-Yonah, *Gazetteer).*

[58] Palestine Archaeological Museum, *Gallery Book, Persian, Hellenistic, Roman and Byzantine Periods* (Jerusalem, 1943), nos. 955, 957 (disc broken off), 948, 949 (henceforth, PAM, *Gallery Book).*

[59] G. Hill, *Catalogue of the Greek Coins of Palestine* (London, 1914), p. liv, note 6 (henceforth, Hill, *GCOP).*

Apollo, Helios Harpocrates, and 'solar types' of magical deities (Chnoubis Pantheos the solar lion) on gems of the Roman period.[60]

Daphne: Josephus, *War* 4.3.

En Gedi: Babylonian seal showing worship of Marduk, Persian period.[61]

Galilee: Ex voto bas relief, 3rd cent. AD, Sun in chariot drawn by eagles.[62]

Gaza: Temple of Helios, Marcus, *Vita Porphyrii* 64.

Temple of Apollo, *ibid.* Also Avi-Yonah, *Gazetteer* 59.

Apollo (?) on coins of Marcus, Hill, *GCOP* 156.

Gerasa: Terracotta statuette of Apollo, 2nd cent. AD, PAM, *Gallery Book,* No. 1131.

Dedications to Helios, 2nd-3rd cent. AD, *SEG* VII, 838, 839.

Helios sozas on an altar dedicated to Artemis, 2nd cent. AD.[63]

Temple of Zeus Helios Megas Sarapis, Isis, and Neotera, and dedication to Z.H.M.S.; AD 143, *Gerasa,* nos. 15, 16.

Temple to Apollo, 2nd cent. AD, *Gerasa,* no. 38.

Gezer: Seal showing worship of sun disc, Persian period.[64]

Jebel Druse: Helios on temple facade, with Baalshamin and Luna, early Roman.[65]

Jerusalem: Bust of Helios, known by report only.[66]

Solar anguipede on seal, Roman, PAM *Gallery Book,* no. 1421.

Kadesh Naphtali: Altar showing deity with sun disc.[67]

Khirbet Tannur: Bust of Helios on temple façada, 1st cent. AD, Glueck *DD* 144 and pl. 136.[68]

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[60] A. Hamburger, *Gems from Caesarea Maritima* ('Atiqot, English Series, 8) (Jerusalem, 1968), 7, 15, 16, 18.

[61] *'Enṣiqlopediya leḥafirot 'arkhe'ologiyot be'eres Yisra'el* II (Jerusalem, 1970), 443 (Hebrew).

[62] H. Seyrig, "Un bas-relief Galiléen," *MélUSJ* 46 (1970), 203-205 and Pl. 1.

[63] C. Welles, "The Inscriptions," in *Gerasa,* ed. C. Kraeling (New Haven, 1938), 445, no. 195 (henceforth, *Gerasa).*

[64] E. Stern, *The Material Culture of the Land of the Bible in the Persian Period* (Jerusalem, 1973), 76 (henceforth, Stern, *Culture).*

[65] N. Glueck, *Deities and Dolphins* (London, 1965), 472 and pl. 138 (henceforth, Glueck, *DD).*

[66] H. Seyrig (supra n. 47), 356.

[67] Cook, *Religion,* 196 and pl. 35, 2. The stone is known only from a drawing which shows a rayed disc on the deity's head and an inscription honoring 'the holy god'.

[68] Of this and the similar pieces from Mahaiy and Qasr Rabbah (infra), Seyrig observes that although they are elements of architectural decoration, not objects of cult, they nevertheless testify to the importance of the sun in the local religion (supra [n. 47], 355).

Lachish: Terracotta statuette of Apollo type, Persian period, Stern, *Culture,* 178. (The 'solar shrine' of Tufnell's volume has now become a temple of Yahweh.[69] It contained, [206] however, a Horus hawk amulet: *Lachish* III, col. I, p. 143; vol. II, pl. 36.56; overlooked by Aharoni).

Mahaiy (in Moab): Bust of Helios (?), Hellenistic/Roman, Glueck, *DD* 59.

Marissa: Votive inscription to Apollo, 2nd cent. BC.[70]

Inscription, 'Helios and On (?), Myron, priest' (etc.), 2nd cent. BC.[71]

Cook, *Religion,* 203, remarks that names compounded with Apollo are unusually frequent in Marissa. So are names compounded with Helios.

Medeba: Helios on coins of Septimius Severus.[72]

Qasr Rabbah (in Moab): Bust of Helios, Hellenistic/Early Roman, Glueck *DD,* 58 and pl. 137a.

Raphia: Apollo on coins of Septimius Severus, Elagabalus, Severus, Alexander (?), and Philip senior (?), Hill, *GCOP,* 172-74.

Souf (near Gerasa): Dedication to Zeus and Helios, AD 98, *OGIS,* no 620.

Tell Arni: Terracotta of Apollo type, Persian period, Stern, *Culture,* 178.

Tell Megadim: Terracotta of Apollo type, Persian period, Stern, *Culture,* 178.

Tell Sipor: Terracotta of Apollo type, Persian period, Stern, *Culture,* 178.

Terracotta of seated Harpocrates, Persian period, seen in the Museum of the Department of Antiquities, Jerusalem.

The importance is known from literary evidence. Strabo has been cited (supra, section I, end); for other passages see Seyrig, 342.

[69] Solar shrine: O. Tufnell, *Lachish* III (London, 1953), 141-45, pl. 121. Temple of Yahweh: Y. Aharoni, "Trial Excavations at Lachish," *IEJ* 18 (1968), 187: *Investigations at Lachish (Lachish 5)* (Tel Aviv, 1975), 11.

[70] C. Clermont-Ganneau, "Royal Ptolemaic Greek Inscriptions," *PEFQ* (1901), 57. (The restoration, 'to Apollo,' seems virtually certain.)

[71] J. Peters and H. Thiersch, *Painted Tombs in the Necropolis of Marissa* (London, 1905), 60. For On, the deified symbol of the Egyptian city, see H. Bonnet, *Reallexikon der agyptischen Religionsgeschichte* (Berlin, 1952), 543-45. It may here be a pretentious reminiscence of Gen 41:50.

[72] G. Hill, *Catalogue of the Greek Coins of Arabia, Mesopotamia and Persia* (London, 1922), xxxvi.

As all this evidence depends on chance survivals, the dates must not be taken as *termini* for the cults. Sometimes accident indicates the cults had long been established. For instance, all the evidence for solar cults in Gerasa dates from the second century AD and later, but about 200 BC a Gerasean on Kos set up a votive inscription to Helios.[73] Further, this evidence from occasional finds and particular places is supported by many Jewish and Christian indications of pagan practices in general, for instance the familiar Mishnaic ruling that anyone who finds an artifact bearing a representation of the sun, the moon, or a serpent, must throw it into the Dead Sea (because these objects were commonly worshipped, Mishnah, *'Avodah Zarah* 3.3; etc.). Again, oaths by the sun were so common and so much used, even by Jews, that rabbinic law finally permitted them, provided the man who swore had the creator of the sun in mind.[74]

IV. THE PROBLEM OF QUMRAN USAGE

Given the evident popularity of sun worship in Palestine and Transjordan, there is no need to suppose that the Qumran sectarians adopted it from Neopythagoreans. The main difficulty in accepting Josephus' statement at face value, however, is to explain their worshipping the sun at all. The *Temple Scroll* itself incorporates Deuteronomic passages prohibiting the erection of *'asherot, massebot,* and the like (cols. 51, 19-52, 3) and punishing with death any prophets or other persons who advocate the worship of gods other than Yahweh (54, 8–55, 21), and in this passage the worship of sun, moon, and stars is specifically forbidden (55, 15-21).[75] How then could the Essenes have said prayers to the sun, much less have planned a gold-plated staircase for a splendid approach to such worship?

By exegesis. "Rab Judah said in the name of Rab, 'No one can be seated in the Sanhedrin unless he knows how to prove from Scripture that a reptile is clean.'"[76] Given the absurdities of Essene exegesis, preserved in the *pesharim,* we should suppose them no less capable than the rabbis of getting around the Law. The problem, therefore, is double. First, by what exegesis did they reconcile the texts they revered with the practices they adopted? Second, why did they want to adopt those practices?

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[73] O. Eissfeldt, *Kleine Schriften* II (Tübingen, 1963), 310-12. Eissfeldt's identification of Helios as Baal Shamem is dubious; if correct it indicates that, conversely, too, Baal Shamem was identified with Helios.

[74] S. Lieberman, *Hellenism in Jewish Palestine* (Texts and Studies of the Jewish Theological Seminary of America, 18) (New York, 1962), 214-15, supplementing the evidence already given in his *Greek in Jewish Palestine* (New York 1942), 137-38.

[75] The passages paralleled in Deut are 16:21-22 (cf. Lev 26:1); 13:2-19; 17:2-5.

[76] Babylonian Talmud, Sanhedrin 17a, end.

Since the exegesis has not been preserved, it must be conjectured and easily can be. One has only to distinguish between "worshipping as a god and reverencing and invoking as a supernatural power, but not a god," and the problem is solved. Sample solutions can be found in the histories of the cult of the saints and of Mariolatry. Qumran legal documents swarm with elements that more or less openly contradict the 'plain sense' of pentateuchal prescriptions. The greatest example is the *Temple Scroll* itself, which, with *Jubilees* makes up a two volume *Torah* apparently intended to take pre[207]cedence of the Pentateuch—*Jubilees* replacing Gen 1-Exod 24; the *Temple Scroll,* Exod 25-Deut 34—both freely omitting what the authors disliked, correcting what they thought inadequate, and adding what they thought desirable. Exegetic presumption could hardly go further.

But why did they want ritually to 'reverence' the sun? An indication may be found in Deut 4:15-24, a passage almost certainly post-exilic (its context anticipates the exile) which may have been aimed against the tendency that triumphed at Qumran. Moses tells the Israelites, "Watch out for yourselves. You saw no image whatever on the day when Yahweh spoke to you at Horeb from the fire. [Take care, therefore,] lest you make any idol ... and lest you look up to the sky and see the sun ... moon, and stars ... and bow down to them and serve them. For Yahweh your God gave them to all the peoples under heaven [as objects of worship], but Yahweh took you ... to be his hereditary people ... Take care, therefore, lest you forget the covenant of Yahweh, ... and make yourselves an idol, an image of anything ... For Yahweh, your God, he is a devouring fire, a jealous God."

The nearest thing to a visible representation of a god of fire is the sun. From 'visible representation' one goes easily to 'visible representative'—the more easily since this passage all but says that the celestial bodies are supernatural beings given by Yahweh to the gentiles as the proper objects for their worship. Hence it would be easy to conclude that they should be reverenced (though not 'worshipped') by Jews. Just at this time Ps 96:5 was declaring "All the gods of the gentiles are ineffectual [gods]"—a deliberate play on *'el* (god) and *'elil* (ineffectual) which LXX would render "All the gods of the gentiles are *daimonia.*" For the author of one of the supplements to Job the stars were already "the children of the gods" *(bne 'elim).* Soon the writers of Qumran would go on to use *'el* alike for Yahweh, good angels, and bad angels.[77]

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[77] *War Scroll* 14, 15-16; 17; 57; cp., Exod 15:11; Ps 29:1; 58:2?; 89:7; Dan 11:36; J. Strugnell, "The Angelic Liturgy," *Vetus Testamentum, Suppl.* 7 (1960), 322, 331-32; Y. Yadin, ed. *The Scroll of the War* (Jerusalem, 1955), 210 (Hebrew).

As self-styled 'children of light' the Qumran sectarians had a special interest in the luminaries and especially in the sun; this is shown not only by their prayers for sunrise, but also by their abandonment of the lunar calendar prescribed by the Bible in favor of one represented as solar[78]—one of their more important departures from pentateuchal law. *Enoch* and *Jubilees,* which set forth this calendar, emphasize the role of the sun (vs. the moon) as ruler of the year.[79] While both works speak of the sun as a 'luminary,' *Enoch* contains a remarkable fragment (82:4-20)[80] giving the names of the angels who rule the four parts of the year, and of their angelic subordinates. These are all angelic names (mostly ending in *'el*) and of the four rulers, the two described in detail, before the piece breaks off, are identified as aspects of the sun. This fragment accords with Josephus' report that the Essene initiate had to swear to keep secret the names of the angels *(War* 2. 142). It accords also with the magical tradition that the sun god has four different forms and corresponding (magically powerful) names in the four quarters of the world.[81] This line of thought is continued by the Qumran *Hodayot* which begin by praising God because, "Thou hast created every spirit ... and [hast known the][82] mighty spirits and their natures before they were made holy angels and [became] spirits of the world in charge of their domains—luminaries, of their secrets, stars, of their courses, ... of their burden, lightnings and thunder, of their source," etc. (I, 8-12). To this notion that the spirits were created first, then assigned to their angelic positions according to their natures, Licht could find no parallel,[83] but it appears in *PGM* XIII, 161-206 and 475-554 and in 2 Enoch 25-30. Since it leaves no doubt that the luminaries are angels, it indicates how the *Words of the Luminaries,*[84] and more fragmentary passages like *DJD I,* 154 "their laws cannot be transgressed ... they rule throughout all the world" should be understood.[85]

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[78] In fact it was not quite solar, but a compromise between the desires for a solar calendar and for schematization: It prescribes a year of 364 days, to get exactly 52 weeks. Evidently fractions were not the reformers' forte, and they preferred convenience not only to the plain sense of the Mosaic Law, but also to truth.

[79] Enoch 72:4 and 34-37; 82:10-19; Jubilees 2:9; 4:21; 6: 36.

[80] The evidence of the content, that this is a fragment, is confirmed by discovery in Qumran of a part of what was lost, now 4Q*Enastr*^{d}, see J. Milik, *The Books of Enoch* (Oxford, 1976), 296ff.

[81] See the magisterial account by A A. Barb, "Abraxas Studien," in *Hommages à W. Deonna* (Collection Latomus, 28) (Brussels, 1957), 67-85, apropos of British Museum gem G 109. The clearest passage is K. Preisendanz, *Papyri Graecae Magicae* (2 ed., ed A. Henrichs) (Stuttgart, 1973-1974; henceforth *PGM,* cited by papyrus number and line) II, 106-115. Cp. also the magical recitation of the twelve names and forms of the sun for each hour of the day, *PGM* IV, 1649-97 and parallels.

[82] Insertion justified by preceding context.

[83] J. Licht, ed., *The Thanksgiving Scroll* (Jerusalem, 1957), 58.

[84] Ed. M. Baillet, "Un recueil liturgique," *Revue biblique* 68 (1961), 195-250.

It also leaves no doubt of the appropriateness of petitioning, praising, flattering, and otherwise trying to bribe these great ministers of the Great King. How to deal with royal ministers was a matter of common knowledge in the ancient world; only in modern times has it become a secret tradition of politicians and [208] businessmen. Nor was the notion that the luminaries were angels and therefore ministers of God dependent on so specific a theory as that advanced in the *Hodayot.* On the contrary, as we have seen, it was common. So, too, was sun worship, and this not only in Palestine, but in the Jewish diaspora. Both in Babylonia and in Egypt the names of Jews from the fifth century BC testify to their parents' devotion to Shamash.[86] No traces of Old Testament books have been found in the documents from the Jewish colony at Elephantine, but the Jews there had a text of the sayings of Ahiqar in which the great god of wisdom and justice is Shamash.[87] Perhaps as a result of such syncretism, together with the fact that the Jews in their dealings with the Persians identified Yahweh as *Ba'al Shamem* ('The Lord of the Heavens'),[88] they began early to gain a reputation for star worship. Theophrastus reportedly reported that they let no sacrifices remain overnight, but burnt them "in order that the all seeing [sun] should not see" [the dead body, and so be polluted]—the same notion Josephus attributed to the Essenes, above, p. 203]—"and at night they contemplate the stars, gazing at them and calling on [them] by prayers."[89]

Something over a century after Theophrastus we find what may be the first evidence of gentile belief that the god of the Jews was the sun. Josephus, C. *Apionem* 2.112-14, says that Mnaseas of Patara told a story about an Idumean who robbed the Jerusalem temple by persuading the Jews that he would produce there an epiphany of Apollo. He then made a wooden frame which he could wear, "and in this he put three rows of lamps, and so [when he put it on and] walked about, it seemed to those at a distance as if stars were moving on the earth. The Jews, therefore, amazed by the marvelous sight, kept well away" and the Idumean got off with their famous golden donkey's head. As Josephus tells the story it is an incredible jumble of absurdities,[90] which is just what he wished it to seem. How far he distorted it to produce this effect, there is no telling. It shows that by the second century BC gentiles were telling stories of (pretended) epiphanies of Apollo (as an astral god) in the Jerusalem temple, but even so it would hardly be worth reporting were it not that in the Jewish catacomb of Beth Shearim (2nd cent. AD) there is carved a standing figure wearing a *Menorah*—in effect, a row of lights—on its head and a similar figure in the Coptic magical papyri is identified as "Davithea Eleleth" (David + goddess + 'el + Lilith?) who lies on the tree of life (the lotus of Harpocrates) and rules over the archangels.[91]

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[85] It is not clear how the Qumranites related this theory to that of 'the two spirits' in the *Manual of Discipline* iii, 13-iv, 26 which tells of the creation by 'the God of knowledge' of two primary spirits, one of truth, from light, the other of wickedness, from darkness, and the rule of each over inferior spirits and men of his own sort. Traces of the *Manual's* theory appear in the *Damascus Covenant* (v, 18) and the *War* (13, 10 and often), but 13, 10 is the only passage indicating that 'the prince of light' (or 'lights') of this system might be a luminary, and here it seems plausible to correct *sar me'or* to *sar ha'or.* The *me'orē da'at/pele'* of the *Angelic Liturgy* and *4QBer.,* reported by Strugnell (supra, n. 77), 333, are without context and therefore ambiguous. How these two systems were related to the common angelology with its named personalities (Michael, Gabriel, etc.) is another question—one the Qumranites probably solved as haphazardly, and with as little concern for the differences of the underlying theories, as do the modern commentators.

[86] M. Smith, *Palestinian Parties and Politics* (New York, 1971), 89.

[87] A. Cowley, *Aramaic Papyri of the Fifth Century B.C.* (Oxford, 1923), 204-48.

[88] In biblical usage, *'elah shemayya',* e.g. Ezra 5:11, 12; 6:10; 7:12, 21, 23 bis; etc.

[89] Porphyry, *Abst.* 2.26. The two participles presumably have the same object. Theophrastus' use of *theoklytountes* expresses his notion of what the Jews thought they were doing. Dr. M. Lichtenstein suggests that the temple roof served as an observatory.

I have discussed in a previous article the *Menorah* as a symbol of god and of sun[92]—the Sadducees mockingly called it 'the globe of the sun.'[93] On Hanukkah as a solar festival much has been written. The root meaning is obvious: the lighting of an additional light each day after the winter solstice should represent liturgically and assist magically the sun's recovery. How the rite gained acceptance in Judaism and came to be connected with the historical celebration are questions unanswerable for lack of information. That some Jews thought of the sun as the (or, a ?) god of the Jerusalem temple is suggested by the story in the Christian *Paraleipomena Hieremiou* 4. 3:[94] (When the Babylonians were let into the city) "Jeremiah, taking the keys of the temple, went out of the city and threw them at the sun, saying, 'I tell you, sun, to take the keys of the temple of God and keep them until the Lord shall ask you about them.'" When the rabbis told the story[95] they eliminated the sun and addressed the speech to the 'Master of the World' but one version still reported that a hand of fire came down and took the keys. Sun rays ending in hands of fire had appeared already in the time of Amenhotep III.[96] On the other hand the Jewish version had no need to specify (as did the Christian) that the temple was 'of God' nor to tell the recipient to keep the keys until 'the Lord' would call him to account. The keys were given direct to the owner of the temple, as they should have been. In the Christian version the reference to 'God' and 'until the Lord shall ask you about them' are secondary additions to avoid making the fiery sun god the owner of the temple. Since neither Christian nor Jewish orthodoxy would [209] have made the Sun the recipient of the keys to Yahweh's temple, the report of the return of the keys to the Sun must be the primary element, which orthodox Christians and orthodox Jews diversely distorted.

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[90] The Idumean promises to deliver his god, Apollo, to the Jews, by making Apollo visit the temple *if they all depart.* But if they must depart when the god comes, he is not delivered to them. but their temple to him. The story as told by Mnaseas may have had behind it some notion like the Roman one of *evocatio.* It belongs to the class of stories in which crimes are committed by men who pass themselves off as deities. A few such stories were true, e.g. Josephus, *Ant.* 18.66ff.; Tacitus *Ann.* 2.85; a modern parallel in Naples, *Il Tempo* (12 July 1968). As to the facts, if any, behind Mnaseas' story, speculation is useless.

[91] A. Kropp, *Ausgewählte Koptische Zaubertexte* II (Brussels, 1930-1931), no. 32, and III, Pl. VIII. Here the *Menorah* has been Christianized as a cross with two unattached lights. Cp. B. Mazar, *Beth She'arim ... 1936-1940* (Jerusalem, 1957), pl. 29, figs. 3 and 5 (Hebrew). Cp. also the interpretation of the *hemhem* crown of Bes as a row of lights, *PGM* II, pl. 1, fig. 6.

[92] "The Image of God," chapter ten above. Further material in L. Yarden, *The Tree of Light* (London, 1971).

[93] Jerusalem Talmud, *Hagigah* 3. 8 (79d).

[94] This text is also known as *The Rest of the Words of Baruch.* Verse divisions differ in different editions; for some the reference should be 4.4.

It should not be supposed from this that the first form of the *Paraleipomena* was an Essene tractate. From the first century on we have plentiful evidence for the worship of angels by Jews of all sorts (including Christians). Jesus himself was thought by many Christians to be an angel,[97] and Christian worship of the sun, identified with Christ, is well attested as late as the mid-fifth century.[98] Jewish worship of angels is referred to by many Christian writers from Paul on (Col 2:18).[99] While the Christian witnesses are often discredited as being Church Fathers, this argument, though plausible, is not sufficient. Even propagandists often tell the truth when it serves their purposes; many believe that truthfulness will increase their credibility. In this case, there is Jewish evidence to support the Fathers' charges. We have already seen that saying a blessing on (= praying to?) the sun was condemned as heterodox (above, n. 45) and that images of the sun stood first in the list of those prohibited (above, p. 203). The sun also heads a list of beings and objects to whom sacrifices are prohibited,[100] and another list of beings commonly worshipped whom Yahweh does not destroy because of their importance to the world (Mishnah, Avodah Zarah 4.7). The most influential rabbinic exegesis of Deut 13:7-8 ("If your brother entice you ... saying, 'Let us go and serve other gods ... from the gods of the surrounding peoples, those near you or those far off, from one end of the earth to the other.'") stretched the last words to mean "Sun and Moon, which go from end to end of the world."[101] Evidently the interpreters wanted an excuse to prohibit a practice they thought important. When (c. AD 130) a Jewish child dedicated an ax 'to the heavens' the rabbis of Jamnia immediately feared he had dedicated it to the sun, moon, stars, and planets (Tosefta Niddah 5.16 [646]). All such material shows by implication what Jews less meticulous than the rabbis were doing. Evidently sun worship was one of the pagan cults most popular in Palestinian Judaism. Even the ministering angels indulged in it daily. Rabbi Meir (fl. c. 150) is said to have said, "When the Sun rises, then all the angels of west and east lay their crowns on the ground and prostrate themselves to the Sun. Immediately the Holy One, blessed be He, is furious."[102] We have no explicit evidence that some rabbis imitated the angels, but some seem to have thought that the biblical description of Yahweh as 'fire' (Deut 4:24; Dan 7:9) was literally true—from this supposed fact they argued that it is impossible to go up to the heavens and join oneself to Him, therefore Deut 11:22 ('To go in all His ways and to cling to Him') must be fulfilled by studying the law and clinging to the rabbis (Sifre on Deut sec. 49).

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[95] *Wayyiqra' Rabbah* (ed. M. Margulies) 19.6; the retelling in the Jerusalem Talmud, *Sheqalim* 6, 3 (50a), got rid of the last trace of the sun by omitting 'of fire.'

[96] W. Smith, *The Art and Architecture of Ancient Egypt* (London, 1958), pl. 128; they are frequent in the reliefs of Amenhotep IV, e.g. pl. 116a.

[97] The evidence has been collected by J. Barbel, *Christos Angelos* (Theophaneia 3) (Bonn, 1941).

[98] Leo the Great, *Sermo 27 (al. 26) In Nativitate Domini* 7, 4 (Migne, *PL* 54, 218f.)—at sunrise, as the Essenes, and on the steps of the church of St. Peter, with their backs to the church, as Ezekiel's contemporaries. This is the point of departure for F. Dölger, *Sol Salutis* (Literaturges. Forsch., 4/5) (2 ed., Münster in W., 1945), the classical, but not complete, study of the reflections of the sun cult in Christianity.

[99] Many passages are collected by W. Lueken, *Der Erzengel Michael* (Marburg, 1898); for the roots of the cult in apocrypha and pseudepigrapha see Bousset (supra, n. 35), 330-31; for a recent discussion, M. Simon. 'Remarques sur l'angélolâtrie Juive,' *CRAI* (1971), 120-34.

This is polemic against magical practices, then increasingly popular, which promised to enable their practitioners actually to ascend into the heavens and enter the sun *(PGM IV,* 475-829, the 'Mithras Liturgy') or seat themselves in Yahweh's throne (the *Hekhaloth* tracts),[103] and return to earth as supernatural beings by adhesion to whom others could be saved. But the rabbis, too, were able to practice magic, and Jews in general (including Christians) were famous for it.[104] Much magic involved prayers to supernatural beings, often to the Sun who was one of the most important gods in magic. A complete magical book, the *Sefer Harazim (Book of Secrets)*[105] recently recovered from fragments in the *genizah* of the old synagogue of Cairo, is particularly important because it was not only tolerated but widely influential in orthodox Jewish circles, and it shows clearly that belief in and *(de facto)* worship of a whole heavenful of angels is compatible with lyrical celebration of Yahweh as the sole, supreme god, who "alone sits in his holy dwelling [in the seventh heaven] ... judging faithfully and speaking justly ... The gods [*'elim*] tremble when he sneezes, the pillars [of the world] shake when he roars ... He sits on a throne of light ... and the beasts and the wheels[106] lift him up; they fly with their wings, ... and do not lift up their faces, because of their fear and their [210] terror. Companies upon companies [of angels] stand before him, and immerse themselves in pure rivers, and clothe themselves in garments of white fire, and answer humbly, with a mighty voice, 'Holy, holy, holy is Yahweh Sabaoth, all the earth is full of his glory,' ... For there is no god [*'el*] beside him, and except for him there is no god [*'elohim*] ... Blessed be his name alone ... Blessed be Yahweh forever. Amen. Amen. Hallelujah."[107]

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[100] Tosefta Hullin 2.18. In the *gemara* of the Babylonian Talmud (Avodah Zarah 42b, Hullin 40a) this list has been combined with another, so that the sun no longer has first place.

[101] Sifre on Deut. (ed. Finkelstein), sec. 88.

[102] E. Melamed, *Halachic Midrashim of the Tannaim* (Jerusalem, 1943), 501, no. 186 end, cited from the Babylonian Talmud, Berakot 7a; 'Avodah Zarah 4a end; Sanhedrin 105b. 'On the ground' is the reading of the Paris manuscript, cp. Rev. 4:10.

[103] The beginnings of these are found in Qumran, see Scholem (supra, n. 4). For the movement as a whole, and the connexion of its Jewish, Christian, and pagan forms, see M. Smith, "Observations on Hekhalot Rabbati," in *Biblical and Other Studies* (ed. A. Altmann) (Cambridge, Mass., 1963), 142-60; *Clement of Alexandria* (Cambridge. Mass., 1973), 237-43; I. Gruenwald, *Apocalyptic and Merkavah Mysticism* (Leiden, 1980).

This is particularly impressive because it concludes a text that can best be described as *Who's Who in the Heavens.* This text lists the names of the angels of each heaven,[108] from the first to the sixth, tells the position and function of each class, the times when they can be called on, and the prayers, sacrifices, and other rituals necessary to make them perform their proper services, to cure, cause sickness, blind, prophesy, secure favor, cause enmity, call up the dead, catch runaway slaves, etc., etc. Particularly important for our purposes is the fourth heaven in which is the bridechamber of the sun, "all of fire, and angels of fire ... surround him and go before him in the day, and angels of water ... at night." After listing their names the text goes on: "If you wish to see the sun by day, sitting in his chariot and ascending." Appropriate directions and conjurations follow; when seen he will, if asked properly, reveal the magician's fate. Next, "And if you wish to see the sun at night, going in the northern region"—similar procedures are to be followed. When seen at night he will not only reveal fates, but do other favors. Therefore, "After you see him, prostrate yourself and fall on your face to the earth, and pray this prayer." The prayer is in Greek, though written in Hebrew letters: "Holy, eastern Helios, good sailor, highest governor, most exalted *(hypsistos),* who of old regulate the heavenly wheel, holy umpire, controller of the poles, lord, glorious guide, master *(tyrannos),* soldier"[109]—from here the prayer goes on in Hebrew to request the favors desired.

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[104] For rabbinic references to rabbinic magic the classic work is L. Blau, *Das altjüdische Zauberwesen* (Budapest, 1898). J. Neusner, *A History of the Jews in Babylonia IV* and V (Leiden 1969, 1970), gives a good account of its social functions and background, not discussed by Blau. On the Christians' reputation see M. Smith, *Jesus the Magician* (San Francisco, 1978), 50-64.

[105] Ed. M. Margalioth (Jerusalem, 1966).

[106] Of the chariot throne, cf. Ezekiel 1:5-28.

[107] *Sefer Harazim* 7, 6-40. Significantly, this conclusion is again a section of the morning prayers of which we have seen the connexions with the sun.

[108] It is thus clearly related to the *Enoch* fragment singled out above, p. 207.

In *Sefer Harazim* Helios is separated from Yahweh by two heavens and a yet greater theological gulf. Nevertheless, they still have important traits in common. Both are gods of fire, the most conspicuous attribute of each is light, both have the gift of prophecy, and both are seated in chariots. The chariots of both were matters of much interest to their worshippers—that of Yahweh became the center of the magical and mystical techniques for ascent into the heavens, that of Helios became the center of fanciful literary accounts, especially of sunrise, which probably had devotional and perhaps also magical importance. One such account appears in 2 Enoch 11-15 (which places the sun in the fourth heaven, as does *Sefer Harazim),* another in the *Greek Apocalypse of Baruch* 6–8.[110] These have their counterpart in the Palestinian synagogue mosaics of late Roman times—the most famous are those of Beth Alpha, Hamath-Tiberias, and Na'aran—which show Helios and his chariot often flanked or wholly surrounded by seasons, as the central subject of the synagogue floor.[111] These, when first discovered, presented somewhat the same problem as Josephus' report of the Essenes' morning prayer, and were received with the same range of attitudes, from over-interpretation to incredulous denial. From the evidence already presented I think they can be seen as typical pieces, showing the (partly mythological) interest in the sun as a great angel, important for the liturgy (especially morning prayers) as well as for his artistic value and practical (magical) utility. (He was especially solicited for dream oracles, and other divinatory services.) By the date of these mosaics—the fourth century AD and later—invocation of angels had evidently been distinguished, at least by the orthodox, from worship of gods, and the theological problems that in Josephus' time would have been raised by such representations of the sun were presumably avoided by this distinction. The less orthodox majority probably dealt with them then as now—by mere disobedience.

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[109] This translation is based on a reconstruction of the Greek somewhat different from that proposed by Margalioth on p. 12.

[110] The relation of these was well studied by M. James, who published the latter in his *Apocrypha Anecdota, Second Series* (Cambridge, 1897), lxiii-lxvi (study) and 84-94 (text).

[111] See H. Shanks, *Judaism in Stone* (Washington, 1979), with photographs and drawings of these mosaics on pp. 16, 112-14, 125, 127, 129, 130, 149, and L. Levine, ed., *Ancient Synagogues Revealed,* Jerusalem, 1981.

CHAPTER NINETEEN

THE GENTILES IN JUDAISM 125 BCE—66 CE

"JEWS" AND "GENTILES": TERMINOLOGY

By Hasmonean times the people of Palestine had survived and been increased by two thousand years of invasions.[1] The Israelite invasion had been only one in a long series. The series had produced a stock of untraceable complexity, diversified by many small groups with recognizable local characteristics. Such groups were more conspicuous than the population's general uniformity, hence classical Hebrew had no word equivalent to our "Palestinian"; *Pelishtim* means "Philistines," another peculiar group of invaders. "Canaanite" was sometimes pressed into service for the whole non-Israelite population, but properly speaking the Canaanites were only one of the many little peoples whom the Israelites had found living in the land. According to the stories of the Israelite invasion they had shared possession with Perizzites, Hivites, Amorites, Jebusites, etc.[2]

Such peoples the Israelites called "the *goyyim.*" *Goy* (the singular) refers to "an ethnic group considered as a political rather than a biological entity"[3]; it was therefore rendered by the King James translators as "nation." In this sense it was occasionally used for "Israel" (the Israelites considered as a single group). More frequently, however, *goy* and *goyyim* were used of non-Israelite groups, often by antithesis to Israel, and pejoratively.[4] Both singular and plural referred to "nations" only;[5] the classical Hebrew terms for a single alien, qua alien, were *nokhri* and *zar.* There was no term whatever for an individual who worshiped gods other than Yahweh, much less for all such persons.[6] It was taken for granted that other nations worshiped

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[1] R. de Vaux, "Palestine in the Early Bronze Age," *The Cambridge Ancient History,* 3 ed., Cambridge, 1971, I.2.235ff.

[2] Gen 13:7; Exod 23:28; 33:2; 34:11; Num 13:29; etc.

[3] I owe this definition to Prof. H. L. Ginsberg.

[4] Used of Israel: Gen 12:2; Exod 19:6; 33:13; Deut 4.6; etc. Used of non-Israelite groups: Exod 34:24; Num 24:8; Deut. 9:4f.; 19:1; etc.

[5] The possible use of *goy* to refer to a single individual, in Gen 20:4, is a textual corruption, produced by dittography from the following *gam;* this comment also is due to Prof. Ginsberg.

[6] "The uncircumcised" (1 Sam 31:4; 2 Sam 1:20; etc.) refers to a difference of practice, not of belief, and would not serve to describe the peoples to the south and east of the Israelites who, although they worshiped other gods, were circumcised.

their own gods[7] (though individuals among them might also worship Yahweh),[8] but until the end of the monarchy the Israelites thought of aliens primarily as strangers and as members of other nations, not as worshipers of other gods; there was no term for, nor concept of, "the heathen" as such. Conversely, there is no indication that other peoples, before the Babylonian exile, saw any great peculiarity in Israelite worship. They are sometimes represented as acknowledging the peculiar power of Yahweh,[9] but almost never as thinking the Israelites religiously peculiar.[10]

When, after the Assyrian conquest, "Judean" gradually came to replace "Israelite," because it designated the people's most important survivors, and when, in the Babylonian and Persian periods, the term "Judean" added to its former tribal and territorial meanings, the new religious one of "Jew," the meaning of *goyyim* also changed accordingly—it came to refer not only to nations, but also to groups of non-Jews, "gentiles,"[11] conceived as pluralities of individuals. The change was slow and obscure. Many later biblical passages are ambiguous, especially because the earlier meanings were not lost but lived on alongside the new one. Finally, by the Roman period, the singular *goy* came to mean an individual non-Jew, a sense it probably had for the author of Matt 18:17, where it is reflected by the Greek *ethnikos.* By parallel developments, the terms for "alien," *nokhri* and *zar,* now came to mean also "non-Jewish" or "a non-Jew." Moreover, this development of generic terms for non-Jews was paralleled by an increasing realization among other peoples that Jews were religiously a peculiar group. In gentile usage the term *Ioudaios* acquired specific religious connotations unlike, and more important than, those of ordinary ethnic adjectives (*Syros, Nabataios, Phoinix,* etc.)

CONQUESTS, "CONVERSIONS," AND CONSEQUENCES, TO 76 BCE

These changes accompanied and were partially caused by the great extension of the Judeans' contacts with the peoples around them. [Many historians have] chronicled the Hasmoneans' territorial acquisitions. In sum, it took them twenty-five years (167-141 BCE) to win control of the tiny territory of Judea[12] and get rid of the Seleucid colony of royalist Jews (with, presumably, gentile officials and garrison) in Jerusalem. That this colony—"the citadel," as our pro-Hasmonean sources call it—was able to hold out so long, implies that it had friends in the countryside who provided food and materials. However, in the last years before its fall, the Hasmoneans were already strong enough to acquire, partly by negotiation, partly by conquest, a little territory north and south of Judea and a corridor on the west to the coast at Jaffa/Joppa. This was briefly taken from them by Antiochus Sidetes, but soon regained, and in the half century from Sidetes' death in 129 to Alexander Janneus' death in 76 they overran most of Palestine and much of western and northern Transjordan. First John Hyrcanus took over the hills of southern and central Palestine (Idumea and the territories of Shechem, Samaria, and Scythopolis) in 128-104; then his son, Aristobulus I, took Galilee in 104-3, and Aristobulus' brother and successor, Janneus, in about eighteen years of warfare (103-96, 86-76) conquered and reconquered the coastal plain, the northern Negev, and western edge of Transjordan.

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[7] Judges 11:24; Deut 4:19; etc.

[8] 2 Kings 5:17ff.; etc.

[9] 1 Sam 4:8; 5:7,10; 6:5f. (with Deuteronomic expansion); etc.

[10] The peculiarity of Israel as a people because of its worship of Yahweh was a favorite theme of the later Deuteronomic school (exilic) and their postexilic imitators: Deut 4:7,34; 33:29; Exod 33:16; 34:10; 2 Sam 7:23; 1 Kings 8:53; Ps 147:20—all these are represented as utterances of Yahweh, Israelites, or the authors. So far as I know the only OT occurrence of the theme in the mouth of a gentile is in Baalam's prophecies (Num 23:9-23) which were certainly inspired, if not by Yahweh, at least by Israelite propaganda.

[11] "Gentile" results from the early Christian attempt to translate the Bible literally: *Goy* ("nation") = Greek *ethnos* = Latin *gens,* whence the adjective, *gentilis/es,* commonly used as a noun. The equivalences were not perfect—in translating, they almost never are—but the translators seem to have thought them the best to be had.

All these conquests, and the ninety years of intermittent warfare by which they were achieved, profoundly changed the relations of Jews and Gentiles.

First, they increased their hostility. Those Jews who supported the Hasmoneans emerged as the greatest threat to their neighbors' peace, property, and lives. Their many victims—first the hellenized Jews of Judea and those associated with the Seleucid government, then the former populations of the pagan cities—fled to the surrounding territories and filled them with accounts of Jewish aggression and of the atrocities incident to conquests.[13] Understandably, Janneus had to go for his mercenaries to Asia Minor, "for he did not accept 'Syrian'" (the term includes Palestinian) "mercenaries because of their deep-rooted hostility to 'the people'" (i.e., the Jews) (*War* 1.88; *Ant.* 13.374). It can reasonably be supposed that there had always been some trouble between the Judeans and their neighbors—the little cities and peoples of the ancient Mediterranean were constantly bickering—but it cannot reasonably be doubted that the Hasmonean conquests greatly exacerbated the relations, made the Hasmoneans' supporters the most notorious body of Jews—"the Jews" *par excellence*—and thus did much to promote the wider hostility towards Jews in general that grew up in the ancient world.

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[12] I shall argue elsewhere that the stories of Judas' conquests in Transjordan are fictitious. Anyhow they had no reported consequences and the territories had to be conquered again by Janneus. In *Ant.* 13.125 the words "and Galilee" are probably a gloss; Galilee is not mentioned in the following royal letter.

[13] Official complaints to Seleucid and Egyptian authorities are often reported (1 Macc 6:22-7; 7:6; 10:61; 11:4f.; 11:21; etc.; *Ant.* 13.328, 334). The private complaints may reasonably be inferred.

Second, the conquests greatly increased the Judeans' acquaintance with gentiles and their culture, and this not only by contacts in fighting and seizure of property, but also by enslavement, employment of mercenaries, and conversions. Each of these requires comment.

As to contacts, even before the Hasmonean revolt the Judeans had considerable knowledge of gentiles and their culture. The hellenizing movement in Jerusalem that led to the revolt is proof of such knowledge, but even prior to it Judea had been deeply penetrated by elements of Greek culture; this is well known.[14] However, many of the cities conquered under Hyrcanus and Janneus[15] had been more hellenized than Jerusalem, and the conquests acquainted the Judeans not only with these, but also with the mass of gentile Palestinian peasants who still held, as did most Palestinian Jews, to old Semitic ways.

How many of the conquered gentiles were brought back to Judea as slaves, we do not know. 1 Maccabees and Josephus speak of some populations' being exterminated,[16] some driven out,[17] and some permitted to remain if they accepted Jewish practices.[18] Those of Samaria, Gaza, Raphia, and Anthedon, are said to have been enslaved.[19] The Biblical law on these matters reads as follows:

> When you go to make war against a city you are to make (an offer of) peace to it. Then if it accepts peace and surrenders to you, you shall use all the people found in it as forced labor, and they shall be your slaves/serfs. But if it will not make peace with you, and makes war against you, you are to besiege it, and when Yahweh your god gives it to you, you are to kill by the sword every male in it. Only the women and the children and the animals and whatever (else) may be in the city ... you are to take as plunder.... Thus you shall do to all the cities that are very far off from you, which are not of the cities of these peoples (who live in the promised territory). However, from the cities of these peoples,

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[14] See M. Hengel, *Judaism and Hellenism*, Philadelphia, 1974, 2 vols., (henceforth "Hengel, *Judaism*") with extensions and corrections in *Jews, Greeks, Barbarians*, Philadelphia, 1980, henceforth "Hengel, *Jews.*"

[15] Marisa, Adora, Samaria, and those of the decapolis and the coastal plain.

[16] The *bene baean*, 1 Macc 5:5; the males of Bozrah, Alema, and Ephron (presumably the females were enslaved, 1 Macc 5:28, 35, 51); all in Carnaim (5:44); 8,000 in the temple of Dagon at Azotus (10:84; cf. 14:34); according to *Antiquities*, most of the males in Gaza, who themselves killed their wives and children to prevent their being enslaved, *Ant.* 13.362-4; cp. *War* 1.87f.

[17] The populations of Beth Zur, 1 Macc 11:65f.; Gazara, 13:43; the citadel of Jerusalem, 13:50; Joppa (? 14:34).

[18] The Idumeans, *Ant.* 13.257; the Itureans (?) *Ant.* 13.318 (see below).

[19] *War* 1.65, 87f.

> (the cities) which Yahweh your god is giving you as a possession, you shall not let any human being survive. For you shall completely exterminate the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites, as Yahweh your god has commanded you.[20]

However, the Hasmoneans could interpret the Law to suit themselves and slaves were worth more than corpses, so enslavement, even of the resistant and of people from the territory biblically assigned to Israel, is indicated not only by Josephus' reports, but also by the fact that the Romans were later able to restore many of the gentile towns to (the descendants of) their former inhabitants (*Ant.* 14.75f.; cf. 88). (Such restorations of enslaved populations were familiar in antiquity.[21]) Accordingly enslavement, being usual, should usually be supposed when nothing else is specified.

Much has been written about the hellenized slaves of Campania as educators of the Romans;[22] slaves from the hellenized cities of the coast and the *decapolis* will have played the same role for the tough hill people of Judea. Conversely, a considerable number of Judeans must have been captured and enslaved during the frequent Seleucid, Ptolemaic, and Nabatean[a] invasions of Palestine. As slaves they will have learned gentile ways, and some will have been ransomed and have brought home their learning.

The conquests increased both the wealth of the Hasmoneans[23] and their need for manpower. Therefore they used some of the wealth to pay mercenaries, employed first by Hyrcanus[24] and continually thereafter. As to the number and nature of Hyrcanus' mercenaries, nothing is said, but the customary Greek term used for their employment (*xenotrophein*) implies that they were alien, and they seem to have stood by Hyrcanus against Jewish opponents when he had to put down a Jewish revolt.[25]

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[20] Deut 20:10-17. The Hebrew expression refers to both, or either, slaves and/or serfs; presumably both were intended, in effect, though the difference of ancient and modern societies is such that our terms are not precise equivalents. The Bible in this instance declares genocide a religious duty, in Jewish terms, "a positive commandment."

[21] Most famous was the restoration to Thebes of the descendants of those whom Alexander had enslaved, cf. Diodorus 19.54; Pausanias 9.7.1. Aristeas 12-27 made Ptolemy II liberate the descendants of the Jews enslaved by Ptolemy I.

[22] E.g., in a standard text book, M. Carey and H. Scullard, *A History of Rome,* 3 ed., N.Y., 1975, p. 192.

[a] [In his revision of the manuscript Smith changed "Nabatean" to "Idumean."]

[23] Even a Seleucid courtier admired Simon's gold and silver plate, 1 Macc 15:32. On Hyrcanus' wealth, *Ant.* 13.249, 273; *War* 1.61. It began with his opening a tomb so rich that he was able to hire mercenaries who made possible the conquests which increased the wealth, and so on.

[24] *War* 1.61; *Ant.* 13.249.

[25] *War* 1.67; *Ant.* 13.299.

Mercenaries were normally aliens because their employers reckoned on domestic resistance.[26] Janneus' mercenaries are said to have been Cilicians and Pisidians.[27] Josephus' reports of their numbers vary from 6,200 to 9,000;[28] he conjectures that without their help Janneus could not have stayed in power.[29] Janneus' opponents, too, did not avoid gentiles. They called in the Seleucid, Demetrius III, who came with a large army.[30] He tried to win over Janneus' mercenaries, "since they were Greeks,"[31] but they remained faithful, while 6,000 Jews went over to Janneus.[32] This so disgusted Demetrius that he gave up the war. So the legend.

Such brief invasions, frequent throughout this period, touched many parts of the country and brought many Jews and gentiles into contact, but their cultural influence was probably less important than that of the permanent mercenary corps. This large body of muscular, male gentiles, employed by the High Priests, privileged, well paid, handsomely uniformed, and usually stationed in Jerusalem, doubtless did much to acquaint young Jews and Jewesses with the uncircumcised.[33] Whether the mercenaries were at this time concentrated in one or more barracks, or individually billeted in houses of the citizens, we are not told. No barracks are mentioned.

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[26] Josephus' report that Hyrcanus introduced mercenaries follows almost immediately his report of the refusal to accept a Seleucid garrison in Jerusalem "because (the Jews' principle of) keeping themselves apart did not permit them to associate with aliens," *Ant.* 13.247, cp. 249. Mercenaries hired by rulers of small states were commonly stationed in the capital, and Hyrcanus' subsequent success in putting down his Jewish opponents suggests that his mercenaries were at hand in Jerusalem. However, as High Priest, he could interpret the law to suit the occasion. The need often to do so may have decided him to leave the tradition-bound Pharisees and go over to the Sadducees who reportedly held that nothing was binding save the letter of the text.

[27] *War* 1.88; *Ant.* 13.374.

[28] *War* 1.93 vs. *Ant.* 13.377; cf. 337. Their numbers also varied from time to time.

[29] *War* 1.88.

[30] How large, is uncertain. Josephus' figures (17,000 in *War* 1.93; 43,000 in *Ant.* 13.377 !) include his Jewish allies. That Pharisees, let alone members of the Qumran sect, should have called in unclean gentiles for help, seems unlikely. Josephus reported without comment in *War*, but later, in *Ant.*, was scandalized, not by the introduction of uncleanness, but by the resort to gentiles against a Jewish king, especially since it entailed the loss of territory that the Jews had recently conquered (13.381f.).

[31] *Ant.* 13.378, a good example of the common near-eastern use of "Greeks" for all speakers of non-near-eastern languages, since communication with them had to be in Greek, the *lingua franca*. See P. Tebtunis #5, line 169 and the comment of the editors, p. 48; H. Windisch, *"Hellen,"* ThWB, s.v., C.1.

[32] *War* 1.95; *Ant.* 13.379.

[33] In the next century, when Jesus' opponents wanted to abuse him, they found ready to hand the charge that his father had been a Roman soldier, M. Smith, *Jesus the Magician*, Harper and Row, 1981, 26ff., 46ff., 58f. The accusation was doubtless a familiar one, often made because often justified.

Billeting was a common practice[34] and commonly resulted in close contacts with civilians.

UNITE AND CONQUER

The mercenaries, however, cannot wholly account for the large conquests of Hyrcanus, Aristobulus I, and Janneus—the corps was too small. Even the fighting men of Judea and of the territories acquired by Simon would hardly have sufficed.[35] And not only the size, but the speed of the conquests, requires explanation. Aristobulus I reigned "no more than (one) year,"[36] of which the first part was occupied by troubles attending his succession,[37] the last, by a long sickness.[38] Yet his reign saw the annexation of much of Galilee, a difficult country for military operations.[39]

The speed of Hyrcanus' and Aristobulus' conquests might be explained by Josephus' report that they permitted the conquered populations "to remain in the country if they would practice circumcision and consent to observe the laws of the Jews."[40] Nothing of this sort had been done before, and nothing similar is reported later in Janneus' reign. Janneus seems usually to have destroyed the cities he captured and to have enslaved their inhabitants.[41] If so, both his predecessors' peculiar treatment of the Idumeans and Itureans (and, probably, Galileans[42]), and his failure to follow this successful example, require explanation.

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[34] M. Launey, *Recherches sur les armées hellénistiques,* Paris, 2 vols., 1949-50, pp. 690-700. For many further aspects of military penetration see M. Smith, *Palestinian Parties and Politics,* London, SCM, 1987, the chapter entitled "hellenization."

[35] Josephus' reports of the populousness of Jewish territories are often grossly exaggerated, as has been shown by A. Byatt's attempt to defend them, "Josephus and Population Numbers," *PEQ* 105 (1973) 51ff.; cp. S. Cohen, *Josephus in Galilee and Rome,* Leiden, 1979, 202f. The soil of the Judean hills is poor, even by comparison with that of Samaria. Moreover, Josephus reports that the conquests began after a long internecine war, a foreign invasion, conquest of the country, and a siege of Jerusalem. These must have cut the population down a bit.

[36] *War* 1.84; *Ant.* 13.318 "a year."

[37] He had to imprison three brothers and starve his mother to death; no doubt this took some time. *War* 1.71, 85; *Ant.* 13.302, 320.

[38] Perhaps long enough to put him out of touch with events; his enemies could persuade him his favorite brother was plotting to kill him. *War* 1.74-82; *Ant.* 13.303-18. (But was he?)

[39] That the country taken over must have been Galilee is generally recognized, e.g. Schürer-Vermes I.218.

[40] *Ant.* 13.257, paralleled in 318.

[41] *War* 1.86-9 and 104; *Ant.* 13.356f., 364, 374, 382, 393, furnish the following list of gentile cities taken by Janneus and their fates (? = fate not reported): *Gadara ?; Amathous* (first time) ?; *Gaza: Ant.* 13.361-364 says it was surrendered to him but the inhabitants were slaughtered and the city destroyed, while *War* 1.87 says the inhabitants were enslaved; *Raphia* and *Anthedon: War* 1.87ff. enslaved, *Ant.* 13.357 ?; *Amathous,* (second time) destroyed; either *Pella (War* 1.104) or *Dion (Ant.* 13.393) or both, ?; *Heshbon: Ant.* ib. *Essa ?, War* ib. *Gerasa* (probably an error for *Essabon)* destroyed; *Gaulana, Seleucia, Antiochus' Gulch,* ibb. *War* destroyed, *Ant. ?; Gamala* ?; Gileaditis and Moabitis, probably the villages, were made tributary *(War* 1.184; Ant 13.374) and later traded off to the Nabateans *(Ant. 13.382). Ant.* 13.395-7 gives a list of "cities of the Syrians and *Idumaeans* (!) and Phoenicians" which "the Jews had at this time"—i.e., to judge from Josephus' placement of the list, at the end of Janneus' victories. It adds to

This requirement has commonly been overlooked. The "accepted authorities"[43] have read Josephus as reporting that the Idumeans and Itureans were converted to Judaism by conquest,[44] and have paid little attention to the questions indicated above: How did the Hasmoneans get enough men to conquer, hold down, and impose circumcision on

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the above *Strato's Tower, Apollonia, Azotus, Rhinokoroura,* Mt. Carmel (a fortress?), *Mt. Itabyrion* (a fortress and city), *Scythopolis, Madaba, Lemba, Oronaim, Aglain, Thona, Zoar,* The Cilicians' Hollow. (I omit places taken by earlier Hasmoneans.) The list is rounded off with the words, "and other leading cities of Syria which were destroyed," but the list contains many destroyed places, so this concluding remark cannot be taken as evidence against destruction, even of places of which the fate is otherwise unknown. Destruction or expropriation is presumable for those that later had to be rebuilt or restored to their original inhabitants; lists of these in *War* 1.155f. and *Ant.* 14.75f., and in *War* 1.166 and *Ant.* 14.88 include, of those listed above, *Azotus, Anthedon, Apollonia, Gadara (?), Scythopolis, Pella, Dion, Gaza,* and *Raphia,* and they add *Arethusa, Dor, and Hippos.* Syncellus' list of cities Janneus destroyed (ed. Dindorf. I.558-9) includes, of those listed above, Heshbon, Pella, Dion, Gadara (and also Moabitis; instead of Gileaditis it has Ammonitis); and it has a number of items peculiar to itself: *Abila, Philoteria,* "the country places of the Macedonians," "Malleas of Samaria," and *Gabae.* Of the above those italicized were towns or military centers. Also *Gamala,* though not said to have been destroyed, appears from now on as a center of Jewish settlement (as do Amathous and Gaulana, which were said to have been destroyed). In all these reports of destructions, the only one indicating a concern for conversion is a note that interrupts the list in *Ant.* 13.395-7, of cities held by the Jews. It reads: "Pella—this they (the Jews) destroyed because the inhabitants would not undertake to go over to the ancestral customs of the Jews." The implication—that if they had gone over the city would not have been destroyed—seems hardly compatible with Janneus' policy as indicated in other cases, and the syntax, which attributes the destruction not to Janneus but to "the Jews," and finally the note's incoherence with its context, prevent any use of it as evidence that Janneus carried on his predecessors' policy.

[42] Josephus' failure to report a conversion of the Galileans is puzzling. My guess is that he expected his readers to understand it as a consequence of the conversion of their rulers, the Itureans. *Cuius regio, eius religio.*

[43] E. Schürer, *Geschichte des jüdischen Volkes,* 3-4 ed., Leipzig, 1901-9, 3 vols. (henceforth "Schürer"), I.264, 275, the same view repeated in the new edition, edd. F. Millar and G. Vermes, Edinburgh, 1973-87 (henceforth, Schürer-Vermes), I.207, 217; H. Graetz, *Geschichte der Juden,* 5 ed., Leipzig, 1905-8, 11 vols (henceforth "Graetz") III.1.72, 119; J. Wellhausen, *Israelitische und jüdische Geschichte,* 8 ed., Berlin, 1921 (henceforth "Wellhausen, *Geschichte"),* 261, 263; E. Meyer, *Ursprung und Anfänge des Christentums,* Stuttgart, 1921, 3 vols (henceforth "Meyer, *Ursprung"),* II.273, 277; G. F. Moore, *Judaism,* Cambridge, Mass., 1927-30, 3 vols. (henceforth "Moore, *Judaism"),* I.56, 336, "forcible and skin-deep conversions"; F. Abel, *Histoire de la Palestine,* Paris, 1952, 2 vols. (henceforth "Abel, *Histoire"),* I.211, 216, 225; M. Noth, *Geschichte Israels,* 4 ed., Göttingen, 1959 (henceforth "Noth") 346f. W. Bousset, *Die Religion des Judentums,* 3 ed., Tübingen, 1926 *(HNT* 21; henceforth "Bousset, *Religion")* and S. Baron, *A Social and Religious History of the Jews,* 2 ed., New York, 1952ff (henceforth "Baron, *History")* say little about the Hasmonean conquests.

[44] *Ant.* 13.257f., 318f. *War* speaks only of conquest of Idumean territory and never mentions the Itureans.

territories more than three times the size of their own? Why were the conquests of Hyrcanus and Aristobulus so rapid? Why did the compulsory converts not relapse as soon as the power of the Hasmoneans was broken by Rome, i.e., within 65 years of the "conversion" of Idumea and 40 of the "conversion" of Galilee?

These problems were recognized by Uriel Rappaport in his doctoral dissertation.[45] He tried to answer them by supposing the conversions were the results of Jewish religious propaganda which had so far won over these populations that they welcomed conversion.[46] However, for the prior success of the Jewish propaganda the only data that might be thought substantial evidence are the reports of Jewish settlements in Jaffa and Jamnia (2 Macc 12:3ff.,8), Beth Shan (ib. 30f.), and Galilee and northern Transjordan (1 Macc 5:9-54; 2 Macc 12:10-31).[47] Nothing indicates that these were settlements of missionaries or converts; they may have been merely emigrés from Judea—there had been many reasons to emigrate. If missionaries, they would seem to have made more enemies that converts; the feelings of their new neighbors were such that the Jaffa settlement was destroyed, Jamnia threatened, those in Galilee and Transjordan had to be saved by evacuation. Incidentally, the neighbors' hostility does not prove the settlers' missionary zeal; perhaps the neighbors merely wanted to loot. Finally, Rappaport supposes that the missionary message was that of the apocrypha and pseudepigrapha of this period and the contemporary Jewish writers of bogus Greek literature.[48] But the abysmal intellectual level of most of these works practically proves that their authors were preaching to believers. Moreover, the cost of books in antiquity, and the relative rarity of literacy, make it unlikely that books did much for the conversion of the average man. The missionary theory fails.

Rappaport did better when he built on the observations of Rostovtzeff and Tcherikover concerning the general hostility of the Semitic country people to the hellenized city folk.[49] He conjectured that the persecutions of Jews all over Palestine, said to have followed closely the first Maccabean successes (and hitherto not well explained[50]), were caused by the fear of the hellenized ruling class, which saw in Judea the beginning of a revolt of the Semitic natives. This makes sense in the main, though it does not fit all details.[51] Additional motives must be reckoned with, especially avarice, which led to looting as soon as men thought that offences against the Jews would not be punished by the government.

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[45] *Jewish Religious Propaganda and Proselytism in the Period of the Second Commonwealth,* Jerusalem, The Hebrew University, 1965 (in Hebrew); henceforth *JRP.*

[46] *JRP* 81f.

[47] Cf. *JRP* 66.

[48] *JRP* 86-98, 105-149.

[49] *JRP* 68, 72ff. and references there.

[50] Unsatisfactory explanations: Wellhausen, *Geschichte,* 246f., "the old hatred of the Jews" (in northern Transjordan, almost 500 years after the Assyrian deportations—why?); Meyer, *Ursprung,* 224, they now saw clearly their danger from the Jews (this was clear to them in N. Transjordan on account of some Jewish successes in Judea?); Schürer, 211, no explanation; Schürer-Vermes, 164, no explanation; Noth, *Geschichte,* 333, Antiochus IV had forbidden all practice of Judaism, so the officers of all Seleucid

Further, Rappaport conjectured that after the Hasmoneans had driven out the Seleucid government and the hellenizing high priests of Jerusalem, and had conquered the hellenized coastal cities of Jamnia and Joppa, they would be seen as the leaders of the most successful example of rural Semitic resistance to urban rule and to Greek ways. Hyrcanus and Aristobulus I could therefore represent themselves as allies and protectors of the country people throughout the rest of the Palestinian hills. This Rappaport believes they did,[52] and hence following Baron, he explains the rapidity of the "conversions."

He also observes that these hill peoples, the Idumeans, Shechemites, and Itureans, all practiced circumcision,[53] and that his will have facilitated their conversion to Judaism. No doubt it did in the long run, but there seems little likelihood that they were immediately converted. We have already seen that Josephus' reports of the

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territories had to destroy all Jews (an unlikely conjecture supported by no other evidence—what happened in Antioch and why didn't we hear of it?); J. Dancy, A *Commentary on I Maccabees,* Oxford, 1954, 102f., Judas' cleansing of the temple put Jews outside Judea in the position of "owing allegiance to a foreign power," hence, "the attitude of the Gentiles becomes understandable" (because everybody in the Seleucid empire knew that all foreign subjects ought to be exterminated); also the local Seleucid commanders had to repress Judas' outbreaks (in Galilee and Transjordan, since he was outbreaking in Judea); J. Bartlett, *The First and Second Books of the Maccabees,* Cambridge, 1973, 67, "They do not seem to have been popular" (not really our set, if you know what I mean; therefore they ought to be massacred); J. Goldstein, *I Maccabees,* New York, 1976, 293, the gentiles knew the Old Testament promises that the Jews would possess all the Holy Land; they feared fulfillment and saw Judas "as a second Joshua" (this was what came of their going to Sabbath School.)

[51] Not all the Hasmoneans' opponents were Hellenistic; Rapaports's attempts to make them so, *JRP* 68ff., are sometimes absurd. (Dagon and Ashtoreth become Hellenistic deities! *JRP* 68ff.) In general his use of "Hellenistic" is naive; cp. E. Bickerman and M. Smith, *The Ancient History of Western Civilization,* N.Y., 1976, 142ff.

[52] *JRP* 75, citing n. 4 of p. 246 of the Hebrew translation of Baron, *History.* This observation led him to see all the Hasmoneans' fights with their neighbors as parts of one great project to drive out Hellenism and purge the Holy Land of idolatry. Hence he attempts to conceal the Hellenistic elements on the Hasmonean side (alliance with Rome, gentile mercenaries, etc.) and the important Semitic elements that survived in the culture of what he calls the "Greek" cities (see previous note).

[53] *JRP* 80, citing Jer 9:24f.; Ezek 32:29. For Itureans he might have cited many authors who speak of the Arabs as circumcised and probably include the Itureans among them, e.g. *Ant.* 1.214, cf. Gen 17:23. (For the Arabs, *Ant.* 16.225, but *engraphenai tois ton Ioudaion ethesin* may refer to other things as well.) Evidence for the practice of circumcision by the Itureans is probably to be found in the fact that Josephus expresses no regret at the marriage of Ptolemy Menneus with Alexandra, daughter of Aristobulus II.

"conquests" which precipitated the conversions were problematic; we must now consider his reports of the "conversions" themselves.

War 1.63 is brief: Hyrcanus "captures Shechem and Hargarizim, near which are the people of the Chutheoi who dwell around the temple modeled on that in Jerusalem. And he also captures not a few (towns) of Idumea, and (particularly) Adora and Marisa." Nothing is said of circumcision of the Idumeans and there is no mention of the Itureans. We are not told how the "Chutheoi"—the Canaanite-Israelite-Mesopotamian natives of the Samaritan territory—were treated. Both silence and historical probability suggest that they were already circumcised and mostly worshipers of Yahweh (with or without other gods) and observant, in their own ways, of the laws of the Pentateuch; they had accepted it.[54] Therefore they would all have been classed as *Ioudaioi,*[55] ordered to make their pilgrimages to Jerusalem, and enlisted to strengthen the Hasmonean troops—a function they probably performed willingly when Hyrcanus later destroyed their great enemy, Macedonian Samaria, and then turned them loose to loot the territory of Scythopolis. However, Shechem was destroyed about this time.[56] It may have been a center of local resistance, or a center of hellenization, like Marisa, resented by the country people (as the reports in *Ant.* 12.257-64 and 2 Macc 6:2 suggest that it was).

Ant. 13.255-8 tells, in almost the same words as *War,* of Hyrcanus' capture of Shechem and Garizim "and" the Chutheoi, adding a bit about the origin of their temple and its destruction (which may have come sometime after the takeover of the territory). Josephus then continues: "And of Idumea Hyrcanus takes the cities Adora and Marisa. And having subjected all the Idumeans, he permitted them to remain in the land if they would be circumcised and consent to use the laws of the Jews. And they, from desire of their ancestral land, undertook to make the circumcision and the other way of life the same as the Jews. And that time was a beginning for them so as to be Jews for the rest." I have translated literally to show the ambiguities of the passage. It can be read in two ways: (1) "To make their circumcision" (which they already practiced) "and the rest of their way of life the same as the Jews'."[57] Hence "a beginning so as" (eventually) "to become Jews in all other respects." Alternatively, (2) "To practice circumcision" (which they had not heretofore practiced) "and to make the rest of their way of life the same as the Jews'." Hence "a beginning, so that they were from then on Jews."

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[54] Smith, *Parties,* ch.7, end.

[55] For references to the Samaritans (Shechemites) as *Ioudaioi* ("Jews"), see Smith, *Parties* 144f.

[56] L. Toombs and G. Wright, "The Third Campaign at Balatah," BASOR 161 (1961) 47.

[57] Prof. Richard Steiner, citing [Jonckheere, "La circoncision des anciens egyptiens,"] *Centaurus* 1,3 (1951) 212-234 *(non vidi),* tells me that there were various methods of circumcision. The Egyptians did not remove the foreskin, but slit it and let it hang loose. Nevertheless, the Greeks spoke of the practice as *peritome.*

The second is the common interpretation, but the first is supported by a parallel in Strabo (16.2.34) who says that the Idumeans, having been driven out of Transjordan, "came into contact with the Jews and came to share with them some of their laws."[58] The notion of gradual assimilation avoids the difficulties of the reported conquest, and the report can be explained by Josephus' desire to represent the Jews as a great military power (cf. *War* 1.2-16) and/or, perhaps, by Nicholas of Damascus' desire to represent the Hasmoneans as tyrants who overran their neighbors' lands. Finally, it is unlikely that the Idumeans should have begun at once to observe all Jewish laws, without having taken the time to learn them. Hillel's later summary of the Law, "Don't do to your neighbor what you would dislike" (b. Shabbat 31a), was not compatible with Hasmonean foreign policy.

All these things considered, it seems likely that "the conquest and conversion of Idumea" went something like this: Hyrcanus, perhaps with some show of military power, made a religious, political, and military alliance with the sheiks who controlled most of the Idumean countryside. Of the cities, the one we know best, Marisa, seems to have been destroyed by Hyrcanus and rebuilt by Gabinius, though the published evidence is not conclusive.[59]

The basis of the alliance would have been family relationships. The Edomite takeover of southern Palestine had been accompanied by much intermarriage with the southern Israelites, whence much of the

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[58] The tractate, *De adfinium vocabulorum differentia,* attributed to an Ammonius whom Christ-Schmid-Stählin placed in the late fourth century *(Geschichte der gr. Litteratur,* 6th ed., II.2.1080) quotes, in its section headed *Idoumaioi,* from a work *Concerning King Herod,* by an unidentified Ptolemy, a statement that, "The Idumeans and the Jews differ ... For the Jews are those who were so from the beginning, by nature, but the Idumeans, who at first were not Jews but Phoenicians and Syrians, having been conquered by the Jews and compelled to be circumcised and to participate in the *ethnos* and hold to the same laws, came to be called Jews." This has been thought (Stern, *Greek and Latin Authors* I.355f.) a copy of the source used by Josephus; more likely Josephus was its source. Either the excerpter or one of the copyists added the *Verschlimmbesserungen.*

[59] The account by M. Avi-Yonah, "Mareshah," in *Encyclopedia of Archaeological Excavations in the Holy Land,* Jerusalem, 1977, III.782-90, gives unlikely conclusions instead of the evidence on which any conclusions should be based. How is it known, for instance, that "inscriptions" (graffiti?) in tombs could not have been written after the city's destruction? A. Kloner, "Later Excavations," ib., pp. 790-91, reports that economical "burials" in the columbarium continued to the mid-first century BCE. It is interesting that two highly hellenized groups emigrated from the city to Egypt and established settlements there, one in Memphis, about 120 BCE, another in Hermoupolis Magna, a generation later; U. Rappaport, "Les Iduméens en Egypte," *Revue de Philologie* 43 (1969) 73-82. However, P. Fraser, *Ptolemaic Alexandria,* Oxford, 1972, II.438, n. 751, would move both dates down to the mid first century BCE.

Edomite material in the Old Testament.[60] The in-laws in fact were brothers in legend, descendants of Abraham and Isaac and of the brothers Jacob (whence Israel) and Esau (whence Edom, whence the Idumeans).[61] Indeed they were brothers even in Jewish law; Deuteronomy had ruled, "You are not to detest an Edomite, for he is your brother" (23:8). The Edomites presumably worshiped Yahweh as well as their own god, Qos, and Apollo, and Resheph; perhaps all four had been identified, as had Yahweh, El, and Shaddai in Israel. Yahweh was probably worshiped as "the god of our fathers," a cult popular in this period, particularly among peoples on the fringe of the desert.[62] The alliance—to judge from its results—apparently, like many ancient alliances, gave the contracting parties the rights to intermarry, make contracts binding in the courts of both, acquire property in each other's territories, etc., but maintained each as a distinct people, though committed to come to the other's aid in war and to fight under the command of a common (in this case, Judean) leader.

The continued separateness of the people is often expressed clearly. When in 67/68 CE the Idumeans came in force to Jerusalem to support the revolt, and found themselves locked out, they complained (according to Josephus) that they were the *ethnos* "most closely related to" (but not identical with) "the Jews," and were shut out from their "ancestral cult."[63] Their claim of Jerusalem as an ancestral shrine derived perhaps from the legend that made it the place where Abraham had tried to sacrifice Isaac (*Ant.* 1.226, end). With the alliance they presumably were recognized as brothers and given access to the Jerusalem temple. In return they will have given the Judeans access to the ancestral shrines in their own territory—the oak of Abraham at Mamre, the burial cave of the patriarchs at Hebron, the well of Abraham at Beer Sheba.[64]

Besides these familial, legendary, and liturgical bonds, the alliance was based on common practices, above all, as we have seen, "the covenant of circumcision." Other such practices may have been the rejection of idolatry[65] and the observance of the Sabbath; many purity rules were probably common, and so on. The proximity of the languages and the common use of Aramaic as a *lingua franca* also helped.

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[60] Smith, *Parties,* p. 90 and n. 88.

[61] Gen 36:1-19.

[62] A. Alt, "The God of the Fathers," reprinted in *Essays on Old Testament History and Religion,* tr. R. Wilson, N.Y. 1968, pp. 3-100.

[63] *War* 4.278f., *patrion hieron,* Thackeray mistranslates by "national."

[64] The attack on Hebron by Judas Maccabaeus (1 Macc 5:65f.) was probably a mere raid for booty and seems to have had no territorial consequences.

[65] A few statuettes have been found in pre-hellenistic Edomite remains, as in Judean sites of the same period. In both areas the prohibition of images would have been facilitated by the quality of the sculpture, but this does not prove it was universally observed and the preserved material suggests considerable variation from one shrine to another.

Few things help an alliance so much as common enemies. The Hasmoneans had profited by driving the hellenizers out of Jerusalem, Jamnia, and Joppa; the rural Idumeans had their eyes on the wealth of Marisa and Adora, so they needed help. To get it, they were prepared to make some concessions—Paris was worth a mass. The Judeans also had practical interests. Their most dangerous immediate neighbors were the Nabateans, whose profitable trade route south of Idumea to the port of Gaza[66] brought business to the Idumean cities and encouraged hellenization (fashionable at the Nabatean court). A Nabatean takeover of at least southern Idumea might be in the offing. Both the Judeans and the rural Idumeans had reason to beware. Consequently the alliance probably contained a string of curses: on the uncircumcised, on idolaters, on those who wear Greek clothes and practice abominations (2 Macc 4:12), etc. More important will have been the provisions for mutual assistance against enemies; they meant practically that the Hasmoneans would help the Idumeans loot Marisa and Adora, and that the Idumeans would join the Hasmonean forces in the hope of more loot elsewhere. Implementation of these military clauses will have rapidly acquainted the Idumeans with Jewish ways; acquaintance will have led to adoption. Thus, from political alliance, the Idumeans moved gradually, but not very slowly, towards *de facto* conversion, which for the circumcised, at that time, was probably the only sort of conversion available.[67] Nevertheless, the assimilation of the two peoples was not complete by 70 CE. Apart from his dubious conversion story (*Ant.* 13.255-8) Josephus never directly refers to the Idumeans as "Jews,"[68] and he says that during the war they were almost exterminated by Simon bar Giora because of his "hatred of the breed" (*BJ* 4.535). However, this is probably propaganda. He later repeatedly refers to Idumeans as important among Simon's forces in Jerusalem (*BJ* 5.249, 358; 6.92, 148, etc.).

This explanation of events in Idumea is supported by the case of the Itureans. Of these Josephus said nothing in *War,* because by the time of the great revolt they were out of the picture, but in *Ant.* 13.318 he praised Aristobulus for "having made war on them and acquired much of their land for the Jewish territory, compelling the inhabitants, if they wished to remain in it, to be circumcised and live according to the laws of the Jews." This echoes his report about the Idumeans in *Ant.* 13.257 (see above). "However," he goes on, "as Strabo testifies ... quoting Timagenes ... Aristobulus 'was an equitable man and very useful to the Jews, for he acquired territory for them and won over a part of the Iturean people, binding them (to the Jews) by the bond of circumcision'" (13.319).

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[66] See M. Stern, "Judea and her Neighbors in the Days of Alexander Jannaeus," *The Jerusalem Cathedra,* ed. L. Levine, 1 (1981) 26.

[67] S. J. D. Cohen, "Conversion to Judaism in Historical Perspective," *Conservative Judaism* 36 (1983) 31-45, pp. 36f. No provisions for the already circumcised are known from this period.

[68] His nearest approach is to list some Idumeans, in *War* 6.92 and 148, among "the Jews" who distinguished themselves in battle against "the Romans." This is schematization. "The Romans" include all Titus' forces—Arabs, Syrians, etc., and "the Jews"—all opponents. See further below.

This quotation from Timagenes (via Strabo) apparently contradicts Josephus' preceding reports about Aristobulus I—that he (inequitably) starved his mother to death, imprisoned all his brothers but one, accidentally murdered the one unimprisoned brother because he falsely suspected him of treason, made war on the Itureans and compelled them to accept Judaism. These look like Nicholas of Damascus' anti-Hasmonean propaganda. Moreover, the contrast here is the same as the one above concerning the Idumeans: Josephus claimed that they were conquered and forced to choose between exile and circumcision, but a passage from Strabo indicated that the so-called "conversion" was actually an alliance. Strabo's words, "binding them to the Jews by the bond of circumcision," do not mean "by making them begin to practice circumcision" but "by using the practice of circumcision (common to Jews and Itureans) as a bond (with which to hold together an alliance against the hellenizers)." Apparently Strabo held similar opinions about both these extensions of "Judaism," and in both instances his opinions are more plausible than Josephus' (or Nicholas'?) conquest stories.

In defense of them we cannot place much weight on Rappaport's arguments for extensive conversion in Galilee before Aristobulus' time—the evidence is too slight.[69] Important evidence, however, has been pointed out by S. Cohen [in a recent study], "Neither in *BJ* nor in *Ant.* does Josephus describe 'conversion' as a religious experience or say explicitly that 'conversion' entails the rejection of the pagan gods."[70] Cohen adds: "Rabbinic law provides a curious parallel, cf. b. Yeb 47a-b. The ... conversion ritual ... omits the requirement of the exclusive recognition of God." He goes on, "Neither ... *BJ* nor ... *Ant.* states that a 'convert' is equal to the native born or somehow joins the larger Jewish community." To these points he returns several times, and gives as examples the monarchs of Adiabene, Emesa, and Cilicia, who were converted to Judaism (i.e. circumcised) but kept their thrones and therefore were not incorporated into Jewish society.[71]

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[69] *JRP* 71f., 80f.

[70] "Respect for Judaism by Gentiles according to Josephus," HTR 80 (1987) 409-430, at 411.

Since they continued to function as kings of pagan peoples, they presumably—though Cohen does not notice this—continued to perform the religious functions required of them in the state worship of its native gods and other state ceremonies.[72] For this they had good biblical precedent: a Syrian general cured by Elisha had promised that he would thenceforth sacrifice only to Yahweh, except when he had to accompany the King to the temple of the state god and participate in worship there; Elisha had replied with a blessing, "Go in peace" (2 Kgs 5:1-28). Similarly, after Nehemiah's time, the priests who wanted to permit gentile participation in Jewish rites introduced into the Pentateuch a minimal requirement, Exod 12:48-9, "If an alien should dwell among you and would make the passover sacrifice to Yahweh, let every man of his household be circumcised and then he may come near (the sanctuary) to make it, as if he were a native of the land. But no uncircumcised (man) shall eat of it; (in this matter) the native born and the alien dwelling among you shall follow one (same) rule." This rule was that circumcision by itself gave access to the ethnic rite.

Cohen, neglecting this background, explained Josephus' silence about converts, conversion, and its requirements and consequences as a matter of tact, not fact—Josephus did not wish to annoy his Roman readers, who were frightened (?) by the many (?) conversions to Judaism and thought the ancient Roman way of life was endangered (?). This comes of taking satirists seriously (Juvenal 14.96-102, and Tacitus, who was also a satirist). Satire, admittedly, has some basis in fact; so does this argument. But we may also suppose that both Josephus and the "curious" rabbinic rule report the primitive law which could readily be obeyed and enforced, whereas abandonment of alien gods, acceptance of all (!) Jewish laws, and the like, could neither be performed nor demonstrated promptly. Besides, in the Hasmonean case, the minimal requirement had the further advantage that most Idumeans and Itureans, and probably many Galileans, had already met it. This was a considerable convenience for rulers who wanted to build a powerful military alliance at once.

The Iturean-Galilean alliance [with the Judeans] was less firmly based than the Idumean. Genesis 25:15 had made the Iturean Arabs descendants of Abraham through Ishmael, but did they care? Not unless the putative paternity seemed likely to produce tangible consequences. One such consequence might have been better relations with their relatively new Galilean subjects; the Itureans had overrun the country only in the past twenty-five or fifty years, and many of the Galileans had some Israelite blood and knew a bit of biblical legend. A more tangible benefit of the pact with the Judeans was the promise of their help against Ptolemais, Tyre, and Sidon, the rich cities of the nearby coast. (Admittedly Aristobulus was using the title "Philhellene"—*Ant.* 13.318—but that could be dismissed as diplomatic double talk.) Also they wanted help against the cities of the interior (especially Damascus) and above all against the Nabateans who were pressing north and might make common cause with the coastal cities they wanted as ports. The Itureans, seated mainly in southern Lebanon, may have decided to secure their southern frontier by turning Galilee over to the *Ioudaioi* in return for assurance of military support as needed. The alliance will have been recommended to their Galilean subjects as to the Jews, by talk of the "common covenant of circumcision" and other shared Semitic practices, Abrahamic ancestry, etc. Holding down the Galileans had been a charge on their forces; the Jews might take over the task with better success because of their closer ethnic connection.

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[71] Cohen 411 n. 7, 412, 421.

[72] Josephus knows of subversion in Adiabene when the king's relatives began to give up the practice of the ancestral religion *(Ant.* 20.73), but he says nothing of the king's doing so. He overcame his opponents, died in peace, and was succeeded by a brother, also a convert, who held the throne at least through Nero's time, presumably performing his royal religious duties. Nothing is reported of any trouble in Emesa and Cilicia.

The existence of such an understanding, at least at the top level, seems indicated by the course of events. The Itureans as a whole did not become Jews; they continue to appear in Roman documents as an independent people. Neither they nor the Galileans gave up their worship of the old local gods. Several sanctuaries on Mt. Hermon continued in use to the fourth century CE. (One of the gods was Baal, 1 Chr 5:23.) Carmel was both a mountain and a god when Vespasian visited its sanctuary in 67 CE to offer sacrifice; the cult there continued beyond 200 CE, the god being identified with Zeus Heliopolitanus. The high place at Dan was repaired in late Hellenistic or Roman times. Many minor sites have yielded artifacts indicative of the worship of various gods, some Hellenistic, some Semitic.[73]

The Iturean ruler, Ptolemy son of Menneus, after reaching this *entente* with Aristobulus and attending to some minor affairs, attacked Damascus. The Damascenes called on Aretas the Nabatean to help them. He replied by attacking the *Ioudaioi* (presumably to prevent their intervention, *War* 1.103; *Ant.* 13.392). After defeating them he imposed a treaty (ib.). It probably required them to help him when requested, since the next time Damascus needed help against Ptolemy, Queen Salome Alexandra, who had succeeded Janneus, sent an army under her son Aristobulus II (*War* 1.115; *Ant.* 13.418f.). The army (diplomatically?) did nothing to speak of, but Aristobulus made friends with Ptolemy. Consequently when Salome died Ptolemy's Itureans helped Aristobulus take the throne away from his elder brother Hyrcanus II. Yet later, when Aristobulus was driven out and finally murdered, Ptolemy took care of his children, married his daughter, and backed her brother's efforts to recapture Judea (*War* 1.185f, 239; *Ant.* 14.126, 297). After Ptolemy's death this policy was carried on by his son Lysander. Gradually, the Iturean kingdom was dismembered (*War* 1.140; *Ant.* 15.92, 94f.; Cassius Dio 49.32; etc.) and its parts were gradually made over to Herod and his descendants.[74] With one peripheral exception (Philip) the Herodians chosen for these grants were descendants of Aristobulus II, whose daughter Ptolemy had married. They were thus connected with both the Hasmonean and the Iturean royal lines. Presumably it was thought that the old alliance would recommend them to their new people.

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[73] Continuance of the Itureans, Schürer, I.708f. and notes. Cults on Mt. Hermon, Eusebius, *Onomasticon,* ed. Klostermann, p. 70; R. Mouterde, "Antiquités de l'Hermon," *Melanges de l'Université Saint-Joseph* 29 (1951-3) 22-37; on Carmel, Tacitus, *Hist.* 2.78, cf. Suetonius, *Vespasianus* 5.6; *M.* Avi-Yonah, *IEJ* 2 (1952) 118ff.; at Dan, J. Laughlin. "The Remarkable Discoveries at Dan," *BAR* 7,5 (1981) 34; Minor finds, see *Hadashot Arkhaiologiot passim.*

In both the Idumean and the Iturean alliances, and in the annexation of Samaria, the Judeans had taken the leading role. They retained it. The whole political-military-religious league that now united the hill country of Palestine from Dan to Beersheba, whatever it called itself, was directed by, and soon came to be called by others, "the *Ioudaioi*."[75] Thus the term *Ioudaios* acquired a new meaning. For clarity, we may recall that the three main earlier meanings were: (1) one of the descendants of the patriarch Judah, i.e. (if in the male line) a member of the tribe of Judah; (2) a native of Judea, a "Judean"; (3) a "Jew," i.e. a member of Yahweh's chosen people, entitled to participate in those religious ceremonies to which only such members were admitted. Now appears the new, fourth meaning: (4) a member of the Judeo-Samaritan-Idumean-Iturean-Galilean alliance. These members we shall call *"Ioudaioi,"* but we shall use the term often for the non-Judean members only. The three older meanings lived on vigorously in their proper contexts, but in discussions of Palestinian politics the fourth meaning now becomes common, and most of those who use it pay no attention to the fact that by religious criteria most

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[74] Details in Schürer-Vermes, *History* I.564ff.

[75] Such ethnic-religious-military leagues had been common in hellenistic history. In particular the formation, growth, and destruction by Rome of the Aetolian League furnish many parallels to the history of the *Ioudaioi.*

Itureans, many Idumeans, and some Galileans were pagans, i.e. gentiles.[76]

Political and military concerns now became predominant in talk about *Ioudaioi,* because the military coalition thus put together gave its members a splendid opportunity to rob their neighbors. It could field more men than the largest of the independent cities. Some of these cities had some Jewish residents, but all were mostly pagan; the inscriptions found in the ruins of those to the west, north, and north east, are predominantly in Greek. The league members presumably had border quarrels with all cities on which their lands bordered—such quarrels were endemic in ancient society. Each side of course accused the other of harassment. It was a moral duty to defend one's allies. For the league it was also a profitable enterprise; virtue was guided by the sight of its reward. In Italy, Rome had already conquered the entire peninsula by its relentless righteousness in defending its allies.

Hence the campaigns of Alexander Janneus. He is explicitly credited (?) with destruction of eight or nine cities. Their populations were either slaughtered or (probably more often) enslaved. No more "conversions" are reported (see n. 41 above). He had all the men he needed; to take more would only diminish the per capita profit. The list of other places he captured, with unspecified enslavement and slaughter, runs to about fifteen; places that later had to be rebuilt, and rural areas said to have been ravaged, add another dozen. Only two of the many gentile sites in Palestine are known to have escaped: Ptolemais, which called in Egyptians, and Ascalon, which Egyptian influence protected.[77] A conservative estimate of number of persons killed or enslaved would be about 200,000.[78] Since most were sold as slaves, and many slaves were used in the land, the profit to the

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[76] This list of meanings has the weakness of most dictionary lists which are based on usage, not intellectual analysis, viz., the different meanings reflect different determinants which are those of most concern in ordinary thought, but not equally important, nor invariably definitive, nor mutually exclusive. Thus the criterion of tribal ancestry was mainly a literary fossil, though some politicians and visionaries (especially messiahs) will have claimed it: both the *nasi* and the exilarch claimed descent from David; Paul claimed to be a Benjaminite (Phil 3:5). Not all natives of Judea became Judeans; the children of most of Herod's "ten thousand" Greek officials would have claimed their fathers' citizenships. Most, but not all, Judeans were also Jews, but those accepted as Jews in the diaspora might be Judeans, *Ioudaioi,* or, most often, neither. And so on. In spite of all this I think the above meanings deserve attention as the main ones implied by common usage.

[77] M. Stern, "Judea and her Neighbors in the Days of Alexander Jannaeus," in *The Jerusalem Cathedra* 1 (1981) 26-7.

[78] Allowing an average of 5,000 for each of the 36 cities or settlements specified, and about 20,000 for settlements not recorded specifically and for the unsettled countryside; for more than 20 years of campaigning, this is low. Of the places recorded, few will have had less than 5,000 inhabitants; many were much larger.

Ioudaioi from the slaves alone, not to mention the lands and property acquired, must have been large. Such success will have hastened the allies' "conversion" to Judaism. Military success was commonly taken as evidence of divine approval.[79]

Evidence of the economic consequences for the Galileans can be seen in the coin distribution of the Khirbet Shema/Meiron/Gush Halav area, which had natural trading connections with Tyre. In a sample of 1736 coins from Seleucid through Roman strata there are twice as many Tyrian (autonomous) as Seleucid, and twice as many Hasmonean as Tyrian; and most of the Hasmonean are of Alexander Janneus. With the coming of "Roman" (Herodian ?) times the number of coins falls back to the Seleucid level.[80] Upper Galilee had nothing to sell the rest of Janneus' territory; all the hill country lived by much the same agriculture and pasturage. The most valuable thing they could export were the soldiers who brought back as their pay those coins, coined from Janneus' loot. Herod, with Roman help, put an end to this profitable industry.

Janneus, however, was not consistently successful. In some of his many defeats the numbers of men lost are said to have run into the ten thousands.[81] Their families probably grumbled. The king's frequent absence from Jerusalem, the increasing importance, in the military and the court, of allies and/or gentiles—Idumean, Galilean, and Iturean leaders, and captains of mercenaries from God knows where—the rise of prices for luxuries due to the influx of money and the spending by the military, the fall of prices for agricultural products as markets (cities) were destroyed and new slaves were put to work on newly acquired lands: all these contributed to hostility among the landed Judeans and Samaritans. Hence the riots and revolts which filled perhaps ten years of Janneus' reign (c. 96-86 BCE). These broke out in Jerusalem (*War* 1.88; *Ant.* 13.372), but the decisive battle was fought near Shechem (*War* 1.92ff., *Ant.* 13.377f.). Though Shechem remained in ruins, a Shechemite population evidently survived in the countryside and infiltrated the revived Samaria, so that the term "Samaritan" gradually came to refer to the fused population and also to the revised form of the old Shechemite religion. Perhaps the gentry of Samaria and Judea had made common cause.[82] No trouble is reported in Idumea and Galilee; those peoples and the Itureans are said to have been warlike[83] and were profiting from the new order. Alexander Janneus had been brought up in Galilee (perhaps as a hostage),[84] no doubt he had friends there.

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[79] This on the authority of divine revelation, Deut 28:1, 2, 7, 15, 25.

[80] R. Hanson, *Tyrian Influence in Upper Galilee,* Cambridge, Mass., 1980, pp. 51-53 (= *Meiron Excavation Project,* No. 2)

[81] Josephus' figures are obviously approximations and probably corrupted by copyists, or Josephus, or his sources, or all three. However, they suffice to indicate that the losses were numerous and sometimes large. M. Stern, "Nicholas of Damascus as a Source for Israelite History in Hasmonean and Herodian Times" in *Studies in Bible and Jewish History (J. Liver volume),* Tel Aviv, 1971, pp. 391-94 (in Hebrew), has discredited them as due to the malice of Nicholas, but to suppose all the reports completely false would leave no adequate explanation for the Jews' revolt against a consistently victorious king. On the other hand (as Stern argues) the conquests prove that he often did succeed. He had more men.

His opponents were not above making gentile friends for themselves: they called in a Seleucid king, Demetrius "the Unready," as an ally in this war against the High Priest and their fellow Jews. Janneus punished the ringleaders by having some eight hundred crucified and their wives and children killed in their sight, while he dined publicly with his concubines and watched the proceedings (*War* 1.97; *Ant.* 13.380). At this, eight thousand of his opponents fled from Judea to some necessarily unclean land (*War* 1.98; cp. *Ant.* 13.383). Who they were we do not know. What has been told fits none of the three little legal sects—Pharisees, Sadducees, and Essenes—that Josephus mentions about this time. The *Damascus Document,* of which texts were found in Qumran and Cairo, came from a sect whose predecessors had made a "new covenant in the land of Damascus" (6.19). These may have been the survivors of the eight thousand, but it would be hasty to suppose that there were no other bodies of Jewish refugees from such a ruler, so the connection is not certain.

DAMNOSA HAEREDITAS

Janneus' achievements have been summarized by Rappaport as follows:

> The conquest of Palestine and the eradication of its foreign elements, above all the *poleis*[85] (which resisted Judaization ... because of a sense of self-esteem, pride in their Hellenistic culture ...) was almost completed ... By the time of Salome's reign only a few enclaves of Hellenistic cities remained in the country (Ascalon, Acre,[86] and Philadelphia, the last conquered by the Nabateans). Another few decades were required to convert the rest of the country to Judaism. Toward this end, it was desirable that alien pockets be eliminated, and particularly that the destroyed and disenfranchised *poleis* be forgotten and their former

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[82] The identity of their last holdout is uncertain, *War* 1.96. Marcus ad loc., citing Abel and Avi Yonah, opts for Misilye, ten miles NE of Samaria. The 40,000 of *Ant.* 13.377 is probably the total of Demetrius' army plus his Jewish allies. A. Schalit's conjecture, a fortress on Gebel Qarantal, is too far away and not a city ("Der Schauplatz des letzten Kampfes," *Josephus-Studien,* ed. O. Betz et all., Göttingen, 1974, 300-318).

[83] *War* 1.93. Schürer-Vermes 1 (1973) 562 and references there.

[84] *Ant.* 13.322.

[85] I.e. the cities organized on Greek lines.

[86] I.e. Ptolemais.

> inhabitants (whether continuing to reside in their old locations or finding refuge elsewhere in Palestine) be reconciled to their loss.[87]

This happy account of a successful religious persecution does not fit the facts. There was little likelihood that the destroyed or disenfranchised *poleis* would be forgotten; many of their former residents were present in the country as slaves; to suppose that they would be reconciled to their loss is absurd. Most of those enslaved or driven out were not "foreign elements," but descendants of Palestinian peoples who had been in the country prior to the Israelite invasion or had arrived and become thoroughly at home in the course of the many subsequent centuries. Even in the "hellenized" cities the element of the population derived from the Aegean coastlands was usually minuscule; the "hellenizers" of Marisa, Shechem, and probably Jerusalem, claimed only to be "Sidonians"—and were probably lying.[88]

Moreover, Janneus' conquests cannot plausibly be represented as a religious persecution to achieve the conversion and purification of Palestine. He was not a religious type. His crucifixion dinner party (though Rappaport may see it as a devout interpretation of Ps 23:5) embarrassed even Josephus,[89] who reports that he was nicknamed "the Thracian" "because of his cruelty."[90] He held the High Priesthood in defiance both of biblical law[91] and of much pious opinion,[92] and his legal administration was such that his widow, Salome Alexandra, reportedly had to pacify "the Judeans" by reinstating the old laws which had been "according to the ancestral tradition" (*Ant.* 13.408, cf. 296f., and *War* 1.108). Given these facts his conquests can most plausibly be explained as results of avarice and the desire of power, and his destructions by the hope to leave no center of political resistance. Dionysius I of Syracuse followed similar policies.

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[87] U. Rappaport, "Jewish-Pagan Relations and the Revolt against Rome in 66-70 CE," *The Jerusalem Cathedra,* ed. L. Levine 1 (1981) 86.

[88] Marisa, see E. R. Goodenough, *Jewish Symbols in the Greco-Roman Period,* New York, 1955-68, 13 vols., I.65ff. and III. nos. 7-16; Shechem, *Ant.* 12.257-64 and 2 Macc 6:2; on these, Smith, *Parties* 52 and notes 87-90.

[89] *War* 1.97; *Ant.* 13.381-3. Admittedly the story smacks—not to say, "smells"—of the propaganda against tyrants that was circulated by Greek philosophical schools (resolute liars in their defense of truth), and Nicholas doubtless knew and used such material. Nevertheless, it cannot wholly be dismissed, because (a) some tyrants did (and still do) behave in such ways; (b) Janneus' introduction of crucifixion is attested by 4Q 169 (Pesher Nahum) I.6-8, which has no such pseudo-philosophical overtones.

[90] *War* 1.88; *Ant.* 13.374, 380-83. M. Stern's apology, "Thraqidas," *Tarbiz* 29 (1960) 209 overlooks the facts that Janneus had recruited Cilicians and Pisidians as well as Thracians, and at the time in question had few or no mercenaries—they had "all" been killed, *Ant.* 13.378.

[91] G. Hölscher, "Levi," *RE* 12 (1925) 2189-91.

[92] *Ant.* 13.292; CD 8 (MS B 15-19; A 3-7); b. Qiddushin 66a; Pss. Sol. 17:5-9; Test. Moses 5:5.

In *War* Salome's return to old Judean law precedes the rise of the Pharisees, who are introduced afterwards, as hitherto unmentioned, and "grow up beside" the queen "into power" (*War* 1.110) as authorities on those Judean laws that she was reviving. In *Ant.* 13.399-406, the Pharisees are already, at Janneus' death, the most powerful party in Jerusalem. Janneus, in a melodramatic deathbed scene, tells Salome she must conciliate them. She does so, by promising them control of his funeral and a voice in her government.

If this story were true,[93] it would indicate that the Pharisees had not been important in the revolt against Janneus. Had they been his main opponents they would have lost some thousands in the fighting, eight hundred in the crucifixion, eight thousand by flight, and all whom Janneus was able to catch during the last ten years of his reign (86-76 BCE). Josephus says in *War* 1.91 and *Ant.* 13.376 that in six years of the civil war Janneus killed "no less than 50,000 Jews," a round figure meaning approximately "lots and lots." That he spared opponents after consolidating his power is not likely. Given the losses necessary to produce such exaggeration, could those remaining in Jerusalem (not a big city) have been strong enough to threaten Salome's hold on the throne when she returned at the head of a victorious army (*Ant.* 13.405)?

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[93] The story is immediately recognizable as folkloristic; it gives us a verbatim account of the proceedings at one of those private deathbed scenes about which ancient religious writers are often incredibly well informed. For the type see J. Munck, "Discours d'adieu," *Aux Sources de la tradition chrétienne* (Goguel volume), Neuchâtel, 1950, pp. 155-170. Admittedly, folklore may sometimes tell the truth. But this is one of many passages in *Ant.* which declare the Pharisees to be the party with most influence over the people, the party that must be won over by any government desiring popular support. In "Palestinian Judaism in the First Century," chapter nine above, I listed these passages and argued that they were probably invented by Josephus to win Roman support after 70 CE for the Pharisees. D. Schwartz, "Josephus and Nicolaus on the Pharisees," *Journal for the Study of Judaism* 14 (1983) 157-71, tried to refute this theory by pointing out that in a very few passages of *War* Josephus does attribute to the Pharisees great influence over the people, and in a very few of *Ant.* he does tell unpleasant stories about them, stories probably derived from Nicholas. However, Josephus is a notoriously careless writer (as demonstrated fully by Cohen, *Josephus)* so it is not surprising that when using Nicholas he carelessly took over a few bits of gossip about the Pharisees that were not to their credit, but not severely damaging. As for the *War* passages that attribute to them predominant position and influence, these, as shown in my article, are refuted by the actual course of events—in which the Pharisees were usually unable to stop popular movements of which they disapproved, and almost never able to do anything of much political importance. Therefore the few, exceptional *War* passages making these false claims for them are best understood as additions inserted by Josephus when he revised the work in the 90's. (For such a revision of book 7 see S. Schwartz, "The Composition and Publication of Josephus's *BJ* Book 7," *HTR* 79 (1986) 373-86, esp. 379ff.) The long digression on the three "forms of Jewish philosophy," *War* 2.119-166, which breaks the course of the narrative, contributes nothing to it, and reflects sources quite different from anything Josephus used elsewhere in the work, seems a clear case of such interpolation. It, at least, used elements partially reliable, whereas the story of Hyrcanus' quarrel with the Pharisees in *Ant.* 13.289 was cut from the same sleazy stuff as the following death-bed scene. Readily recognizable as folkloristic motifs are: the banquet at which the host asks a foolish question, the one wicked guest who gives an unwelcome answer, the evil counselor of the good but foolish king, the humane courtier(s) who will not impose the severe penalty ordered/desired by the tyrant. The whole was inserted to explain how it happened that the Pharisees were not in power till Salome put them there; its historical value is therefore as evidence that when Josephus wrote *Ant.* 13 the Pharisees were already claiming immemorial authority and making up stories to explain away historical facts that contradicted their claims.

Since the deathbed story is false, we are left with no more than the fact that the reports about the resistance do not fit the Pharisees. Further evidence comes from Janneus' coinage. The issues with inscriptions fall into two groups: (1) "Of King Alexander" in Greek and/or "Yehonathan the King" in Hebrew, (2) "Y(eh)onathan High Priest and the League of the *Yehudim*" in Hebrew only—evidently Judean leadership had made Hebrew the official language of this Semitic-speaking league. More than 90% of the largest groups of the first type were restruck with the later legend—evidence that the change was important. *Prima facie,* the change indicates a limitation of royal power by association with the "league" ("union," "association," vel sim.) of the *Yehudim,* in Greek *Ioudaioi.*[94] But which *Ioudaioi?* If Josephus' report, that Janneus' mercenaries were killed off but that he nevertheless overcame his Judean opponents,[95] be true (and the latter clause seems guaranteed by the course of later events), then after the killing he must have found other support, most likely from the military allies classed as *Ioudaioi*—the Idumeans, Galileans, and Itureans. This "League of *Ioudaioi*" may therefore have been given official position as associate of the High Priest. The allies had agreed to be members of a military union, not subjects of a monarchy.

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[94] Y. Meshorer, *Jewish Coins of the Second Temple Period,* tr. I. Levine, Tel Aviv, 1967, pp. 56-59, 118-21, and pl. II and III. The argument of M. McLean, "The Initial Coinage of Alexander Jannaeus," *American Numismatic Society Museum Notes* 26 (1981) 159, discounting the importance of the change of title because "one would expect all the Anchor/Diadem coins to have been recalled" overestimates the control of circulation by ancient states with minimal means of supervision. H. Minc's "Coins of Alexander Yannai," *Journal of the Society for Ancient Numismatics* 12 (1981) 49-57, 64-67, trying to reverse the sequence of the overstriking, does not convince me. Overstriking is usually clear, so the consensus of the earlier experts is weighty. Moreover, the formula "and the league of the *Yehudim*" continued to be used on the coinage of Hyrcanus II, more likely a perpetuation of Janneus' last usage than a resumption of a formula he had dropped eight years earlier.

[95] *Ant.* 13.377f. says all Janneus' 6,200 mercenaries were killed in the battle against Demetrius; *War* 1.93ff. tells of eight or nine thousand defeated, though fighting bravely. Janneus reportedly had "about 20,000" *Ioudaioi,* as distinct from his mercenaries, *Ant.* 13.377 (*War* 1.93 says "10,000"). The total force of his opponents, including Demetrius, came to 43,000 (*War* says 17,000). After the battle 6,000 Judeans went over to Janneus, and this decided Demetrius to withdraw, but the remaining opponents were strong enough to keep up "a long war" before their final defeat. From such data the most that can securely be inferred is that there was very strong opposition in Judea and Samaria. Hence the inference, that the forces which enabled Janneus to keep up the fight were probably those of the Idumean and Galilean allies, i.e. *Ioudaioi,* not Judeans.

Such demonstration of the throne's dependence on the allies may explain Salome's decision to try to rebuild support in Judea. Other factors contributed. The rich places had already been looted (except for Acre and Ascalon, but those were protected by Egypt); the Nabateans were already beginning to take back Transjordan; a woman pushing sixty (as Aristobulus' widow she had managed Janneus' accession), she was not well suited for the role of a military leader; to entrust campaigns to others was to invite usurpation. She prudently preferred peace. She managed to get large credit for piety (*War* 1.108), but she greatly increased the mercenary, i.e. gentile, element in the army, a bulwark against Judeans, allies, and aliens alike (*War* 1.112; *Ant.* 13.409). In Judea, prudence may have led her to patronize a small party which would depend on her (as *War* 1.110 suggests the Pharisees did). If the [rabbinic] story that the leading Pharisee, Simeon ben Shetah, was her brother has any basis beyond the wishful thinking of later Pharisees, we should have a further reason for her choice. At all events she seems to have placed many Pharisees in positions important for her proposed legal reform.

Josephus' story is that they used their legal powers to harass those of Janneus' friends who had encouraged him to execute his Judean opponents. Given Janneus' career it is likely that his circle was mostly military, and Josephus indicates as much in the speech made up for their defense, and by his story of their means of escape (*War* 1.113-114; *Ant.* 13.408-14). Looking for a defender, they turned to Janneus' second son, Aristobulus. His mother had made his elder brother, Hyrcanus, High Priest, in accordance with the biblical, Judean law of primogeniture. Aristobulus therefore welcomed military petitioners. By defending them he formed a powerful body of supporters. Yet more, he got them strategic positions as commanders of the minor fortresses about the country (*War* 1.114; *Ant.* 13.415-17). He also strengthened his ties with the military by serving as commander of the force his mother sent to aid Damascus (*War* 1.115; *Ant.* 13.418). At the same time he used this expedition to establish good relations with Ptolemy, son of Menneus, the Iturean ruler of southern Lebanon, nominally his opponent (see above). The understanding with Ptolemy will have helped him with the Itureans in Galilee.

Thus prepared, when his mother fell into her last illness he raised an army (with Ptolemy's help?) and soon had control of twenty-two fortresses. Many supporters came to him from Iturean Lebanon (*War* 1.117: *Ant.* 13.424-47). When his mother died he defeated his brother Hyrcanus II (most of whose soldiers deserted), forced him to retire to private life, and illegally took over the high priesthood (*War* 1.119-22;

Ant. 14.4-7). In these events the Pharisees did just what we should expect of a small party of jurists who owed their positions to the favor of a deceased ruler—they vanished. Of their legendary power to move the people to paroxysms of resistance, there is no trace. Presumably Hyrcanus was their candidate. He and they were both Salome's protégés, and by biblical law he, as first born, had the right to the place. No doubt, in defense of their discreet silence, they reflected that almost nothing legally takes precedence of saving one's life. The rest of the Judeans seem to have thought the same. In spite of Salome's attempt to regain local support, there is no trace of any substantial local action on behalf of her legitimate heir. Perhaps Janneus had made so clean a sweep of the province that there were no important local leaders left.

With his establishment of Aristobulus II as High Priest of Jerusalem and leader of the "union" of the *Ioudaioi,* Ptolemy the son of Menneus came to the height of his power: he controlled all southern Lebanon, held two seaports on the Mediterranean coast, and was threatening Damascus on the east, Berytus on the west.[96] The alliance of Itureans and *Ioudaioi* had long given him a body of supporters in Galilee, and the military repute of his people makes it likely that many of them had been earning money in Janneus' army as mercenaries or hired leaders of Galilean levies.[97] Now that he had strengthened these ties by his help to Aristobulus, the whole union of the *Ioudaioi* was in his sphere of influence, and he could hope to keep it there by a dynastic marriage—a plan he still tried to carry out after Aristobulus' death (see above).

This plan threatened the hopes of another planner, Antipater the Idumean, who "by ancestry, wealth, and abilities was the foremost of his *ethnos,"*[98] i.e. of the Idumeans, as distinct from the Judeans. According to Josephus, his father had been "appointed" by Janneus "general of all Idumea" (*Ant.* 14.10). "Appointed" reflects Josephus' story of a Judean conquest. Perhaps his text, or the text he used, originally had "recognized as," sc. from among competing leaders of the Idumean allies; the difference in Greek is only one *iota.*[99]

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[96] H. Volkmann, "Ptolemaios (60) Sohn des Mennaios," *RE* 23 (1959) 1766-1767.

[97] Schürer I.708f. and notes.

[98] *War* 1.123; *Ant.* 14.8-13. There is no good reason to doubt Josephus' report of this, nor his report of Nicholas' lie and the reason for it, *Ant.* 14.9. Other stories are collected by Marcus, ad loc. Antipater may have been an Ascalonite—his father may have been given honorary citizenship in the neighboring city; such civic honors were often given to potentially useful officials of neighboring kingdoms. The temple-slave yarn is typical of early Christian slander.

[99] Read in *Ant.* 14.10 *apodexanton* instead of *apodeixanton.* That he probably held the office by inheritance rather than appointment was also suggested by M. Gihon, "Edom - Idumea and the Herodian Limes," in *Doron* (B. Katz vol.) edd. S. Perlman et al.. Tel Aviv, 1967, p. 208 and n. 19.

Whatever his office, he had made friends with the adjacent Nabateans, who had the largest army in the vicinity. Now he needed their help because of his old enmity to Aristobulus (*War* 1.123).

He too, Josephus says, devised a plan: to persuade Hyrcanus to flee to the Nabateans, and the Nabateans to restore him to his throne, expelling Aristobulus and his allies. Thus Idumea, Judea, and Samaria, at least, would become a Nabatean puppet kingdom, with himself as governor and Hyrcanus reduced to High Priest of the Jerusalem temple. This plan, once formed, he held to, modified as events required, and eventually carried out, though with Roman rather than Nabatean backing. At first, however, all went well. He persuaded, Hyrcanus fled, the Nabateans invaded, Aristobulus was defeated and his followers were besieged in the temple. But just then the Romans arrived.[100]

The Judeans who had taken no part in the brothers' war emerged in the Romans' peace conference.[101] Representatives of "the (Judean) *ethnos*" claimed that their people's "ancestral custom was to obey their priests,[102] but these (Hasmoneans) had attempted to change the constitution and enslave the people" (*Ant.* 14.41). Besides these, a thousand *Ioudaioi* organized by Antipater on behalf of Hyrcanus, appeared and claimed, among other things, that "the ethnos" (sc. the Judeans) had revolted from Aristobulus because of his bad character. Aristobulus, too, sent a delegation—of young men from his own entourage, ethnicity unspecified; from what Josephus says of their appearance and behavior they seem to have been the sons of his father's officers.[103]

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[100] *War* 1.124-7; *Ant.* 14.8-29 adds that after the victory of the Nabateans the people *(demos)* of Jerusalem went over to Hyrcanus, but the priests remained loyal to Aristobulus and protected his interests by holding the temple as a fortress. This is puzzling. By priestly law the High Priesthood should have gone to the elder son, Hyrcanus. Presumably Aristobulus' troops had taken the temple and so controlled the priests. Josephus may have used this as evidence of priestly approval of Aristobulus—by making a case for the claims of Aristobulus' line he could flatter its last important representative, his patron Agrippa II. (An interesting detail of the story is the report that Aretas put the camps of the *Ioudaioi* and the Arabs side by side, *Ant.* 14.21. These *Ioudaioi* whom he commanded were probably in large part Idumeans, the "Arabs" were Nabateans, and Idumean-Nabatean relations were at this time good.)

[101] The Shechemites may have appeared, too, but from here on Josephus says little of them. Janneus' punishment after the revolt may have left them insignificant. The non-Jewish cities are also unmentioned.

[102] This claim could have been made (honestly) only by the Judeans. The Idumean and Galilean *Ioudaioi* had been allies (not subjects, see above) of the High Priests only some sixty and forty years prior to the conference.

[103] *War* 1.131-2; Ant 14.42-46. In spite of the illegality of Aristobulus' claim, those of his party who held the temple observed the sabbath laws—perhaps they wanted to conciliate the priests, perhaps sabbath observance was like circumcision, one of the Semitic practices common to the Hasmoneans and the hill peoples who allied with them, but perhaps this detail is merely a Josephan use of a common topos—almost

These are the parties Josephus records. Besides these the interests of the captured cities were represented by Pompey's trusted freedman, Demetrius, from Gadara (*War* 1.155: *Ant.* 14.75). The eminent philosopher, Philodemus, may have used his influence; he, too, was a native of (the same?) Gadara, and was now living near Naples as philosopher to L. Calpurnius Piso Caesonius, consul in 58 BCE along with Pompey's protégé Gabinius. Another distinguished emigré had been the philosopher Antiochus of Ascalon, whose city had narrowly escaped Janneus. He had died in 68, but had visited Palestine with Lucullus in the early 70's and had probably spoken to him about its recent history.[104] Lucullus was still influential, as was Cicero, who had formerly studied with Antiochus. These are only the best known representatives of what must have been an important body of informants, whose work was reflected a generation later by the geographer Strabo's *en passant* description of the Hasmoneans as "tyrants" and their adherents as "pirates" and "brigands."[105] Pompey was in constant correspondence with his fellow senators. When his campaign took him into Palestine his friends in Rome probably wrote him whatever they thought might be useful about the recent history of the country.

When matters went from arguing to fighting, Hyrcanus had enough influence with the Judeans around Jerusalem to prevent them from acting on Aristobulus' side—so Josephus (*War* 1.153; *Ant.* 14.73), but the presence of Pompey's army was probably the chief deterrent. Josephus does not say that Hyrcanus could persuade them to act on his own side.

The force which neither Hyrcanus nor Aristobulus could control was Aristobulus' soldiers. When he himself surrendered and ordered that his money, and access to Jerusalem, be given to Pompey, "his soldiers would not permit this" (*Ant.* 14.56; *War* 1.140). When Pompey reached Jerusalem they tried to shut him out; when this was prevented by the people, they seized the temple and stood a siege until it was captured. Of course it was damaged and polluted in the process. Nevertheless, their refusal and resistance are commonly represented by modern scholars (though not by Josephus) as expressions of religious devotion. They can more plausibly be explained as acts of

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everybody who fought the Jews was said to take advantage of the sabbath laws, *Ant.* 12.4, 274f.; 13.337; etc.

[104] For all this information see the *Kleine Pauly* under the names of the persons concerned; for Antiochus add G. Luck, *Der Akademiker Antiochos,* Bern, 1953 *(Noctes Romanae* 7) 13ff.

[105] *Geography* 16.2, 28, 37, 40. Parallels are cited by Stern, *Greek and Latin Authors,* I.292 and 306.

any army largely of professional soldiers, who saw that with submission to Roman rule their occupation would be gone. The life of adventure and looting that had prevailed in Palestine for forty years would cease. Yet worse, they would be called to account for their crimes, beginning with disobedience to Pompey. Roman punishments being what they were, it is understandable that many chose suicide, and chose the temple as the fortress in which they could exact from their enemies the highest price for their lives. As followers of Aristobulus, all but the mercenaries were probably *Ioudaioi*—members of the military alliance. How many of them were Jews, there is no telling. Their treatment of the temple would seem more easily understandable if the Jewish contingent were small.

Pompey's settlement of Palestine was dictated by fairly clear considerations: (1) The *Ioudaioi* had overrun their neighbors and so created a territory large enough to be potentially troublesome for Rome; both justice and prudence required that they be cut down to size. (2) His own conquests and dispositions of territories would have to be justified to the Senate. (3) The most effective justification would be money—additional income for Rome, pay and bonuses for his soldiers, gifts for his friends, and funds for his political war chest. He therefore imposed a tribute on Jerusalem and on "the country" (Judea? *War* 1.155; *Ant.* 14.74). He took a thousand talents from Ptolemy, the son of Menneus (*Ant.* 14.39). "He took from the *ethnos* (here apparently the *Ioudaioi*) the cities in *Koile Syria* (i.e. Palestine and Transjordan) which they had captured ... and shut them up in their own limits" (*War* 1.155; *Ant.* 14.74; similarly he expelled Ptolemy from the coastal cities of Lebanon, Strabo 16.2.18 755). "He had Gadara rebuilt" and liberated the other cities not utterly destroyed,[106] "all of which he gave back to their true citizens and enrolled in the province of Syria" (*War* 1.155-7). Enrollment in a province normally entailed payment of the taxes imposed on the province, but it also guaranteed against future conquest; henceforth the city would be Roman territory and therefore, probably, safe. The next half-century would see Palestinian cities petitioning for admission.

War 1.155ff. and parallels[b] are remarkable for their use of "the people" (*to ethnos*) and "the country" to refer to all the members of the alliance and to all the territories they, as separate peoples, had originally held, or, as members of the alliance, had early acquired and solidly settled. This may be anachronistic retrojection of the Roman imperial use of the first century CE, but it also accords with Josephus' purpose to represent "the Jews" as a single, great, and powerful people, and Palestine as their ancestral country (*War* 1.1-8, 17f., and passim). It also anticipates the actual fusion of the *Ioudaioi* into a single people, a process continued through the first century CE and beyond. How far that process had gone in Pompey's time, and what he thought "the *ethnos*" and "their own limits" to be, we cannot be sure.

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[106] I.e. Hippos, Scythopolis, Pella, Samaria, Jamnia, Marisa, Azotus, Arethusa, Gaza, Joppa, Dor, and Strato's Tower, *War* 1.154-7; *Ant.* 14.74-6 adds Dium. Gabinius, who carried through the rebuilding in 57 BCE, added Anthedon, Apollonia, Raphia, Adora, and others, *War* 1.160-6; *Ant.* 14.82-8.

[b] [Smith is apparently referring to the use of *ethnos* in *War* 1.155//*AJ* 14.74, and *chora* in *War* 1.153-154//*AJ* 14.73.]

Gabinius, when he came back as proconsul half a dozen years later, defined the limits so as to produce five territories with independent civil governments: the regions of Jerusalem, Amathous (for central Transjordan), Jericho (for the southern Jordan valley), Sepphoris (for Galilee), and Gadara (?) for northern Transjordan—more likely "Gamala," since he was rebuilding Gadara as a city of gentile refugees (*War* 1.170; *Ant.* 14.91). The Idumeans, not mentioned, may have been separated from the *Ioudaioi* altogether, and so, too, the Shechemites. Hyrcanus was restricted to governance of the temple.

This arrangement was soon junked by the war of Aristobulus II and his descendants against Hyrcanus II—a dynastic fight in which neither side represented "the Jewish nation." Both parties were backed by non-Judean elements of the *Ioudaioi* and also by gentiles: Hyrcanus by the Idumeans, Nabateans, and finally, Romans; Aristobulus' family by the Galileans, Itureans, and finally, Parthians. The greater backers were the least active. For action Aristobulus and his sons had the descendants of Janneus' friends in Galilee and soldiers settled in the Peraea. There, too, they suffered their defeats: Machaerus, Itabyrion, Taricheae, the Galilean caves.[107] Hyrcanus' interests were represented by Antipater, his most dangerous enemy. Where Antipater raised his forces we are not usually told. Most likely, Idumea, although when near the end of his life he went to Transjordan for "Arabs and natives" (*Ant.* 14.277, cp. *War* 1.223; for his use of Arabs, sc. Nabateans, see also *War* 1.187; *Ant.* 14.128).

For twenty years there is no mention of substantial Judean support for Hyrcanus. Then, about 43 BCE, we are told that Malichus, who poisoned Antipater, had so much popular support in Jerusalem that Antipater's sons, Phasael and Herod, dared not attack him for fear of a civil war (*War* 1.227f.; *Ant.* 14.283).[108] The long absence of support for Hyrcanus may have been due, as Josephus indicates, to Hyrcanus' sloth and Antipater's activity. However, other factors were probably contributory. One may have been the hostility of the old Jerusalem priesthood towards the Hasmonean High Priests, as upstarts and illegal. This feeling was expressed by their delegates to Pompey (*Ant.* 14.41; Diodorus 40.2).[109] Another factor may have been the hostility of the Judean landlords. Josephus has a report that he probably heard as a child in Jerusalem: When Hyrcanus was deprived of political power, "the people ... glad at being freed from monarchic government, henceforth conducted their affairs as aristocracies" (*War* 1.170; cp. *Ant.* 14.91).

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[107] Machaerus, *War* 1.171-4; *Ant.* 14.92-7; Itabyrion, *War* 1.176f.; *Ant.* 14.100-102; Taricheae, *War* 1.180; *Ant.* 14.120; the Galilean caves and Ezekias, *War* 1.204; *Ant.* 14.159.

[108] His brother also had control of many fortresses and the support of a leader of the mercenaries, as well as an alliance with "the tyrant" of Tyre, *War* 1.236-8; *Ant.* 14.294-8. Again, gentiles in the background. Perhaps even in the foreground, since Malichus is a Nabatean name and A. Schalit's conjecture, that the man may have been a mercenary who rose to command, is not unlikely (*König Herodes,* Berlin, 1969, 749f., henceforth

In spite of all this, the Hasmonean high priesthood lasted more than a century (153-37 BCE). It had no serious rival, and no comparable successor, so it came to occupy a higher place in Jewish imagination than it had actually enjoyed in popular esteem. By historians it has been credited chiefly with carrying through the Maccabean revolt, shaking off the Seleucids, and saving Judaism (for better or for worse) from syncretism. That was truly an important achievement, but a second, comparable to it, was the transformation of the Jews from a little provincial people (albeit one with important colonies in distant lands) to the chief element of a powerful military-political-religious complex of which the brief conquests not only made them notorious throughout the near east, but also produced in Palestine the many curious combinations of Jewish and gentile elements that must be posited to explain the diverse Palestinian products of the two first centuries, BCE and CE—the Palestinian apocrypha and pseudepigrapha of the Old Testament, the Dead Sea sects and the works they produced, the Herodian dynasty, temple, priesthood and state religion, the Sadducean party that worked with it, the Shechemites who went their own way, the Pharisees, the many individual pietists and prophets (among them John the baptist), the miracle workers like Jesus and Simon 'the magician,' the legalistic revolutionaries like Judas of Galilee (or Gamala?), the devout assassins, the sacrilegious zealots, the many leaders, the more numerous partisans, the innumerable victims, the local cults and cultures of the diverse cities—old Semitic, hellenized, new foundations (Greek and Herodian)—and the religious groups from which would grow Christianity, the cult of Simon, and other similar sects, rabbinic Judaism and its variants; and

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"Schalit, *Herodes*"). Josephus' representation of Hyrcanus as no less afraid of Malichus than of Antipater, may not be far from the truth.

[109] Its background has been traced by J. Sievers, *The Hasmoneans and their Supporters from Mattathias to the Death of John Hyrcanus I,* Scholars Press, 1990 (USF Studies in the History of Judaism 6).

finally, enveloping all these distinguishable groups, the life of the ordinary people of the land. All these are parts or products of the amazing amalgam that the Hasmonean conquests produced, and none of them is free of the pervasive influences of hellenistic culture and Jewish tradition.

KING HEROD, THE IOUDAIOS

The Parthian invasion and the end of the Hasmonean high priesthood [need not be rehearsed here]. Once again the gentiles, this time solicited by a Hasmonean and/or his gentile backer (Lysanias, successor of Ptolemy son of Menneus, *War* 1.248f.; *Ant.* 14.330f.) had produced a major change in Judaism and left the Jews to work out the consequences. Similarly, the Romans appointed Herod merely 'King,' without bothering to say, of what. The act bestowed a recognizable status in the Roman hierarchy of administrators, the territory and subjects attached were adjustable. On his coinage, Herod wisely left the question open; he used always 'Herod, King' without further definition which might turn away the awards he hoped yet to receive. He seems to have loved mainly power, and wanted all he could get.

Nevertheless, he was in fact limited by the supporters he could attract. His grandfather, father, and brothers had held important administrative posts under Janneus, Salome, and Hyrcanus. They had presumably built up a corps of followers, most of them Idumeans from their own estates or tribe, but also many mercenaries. He himself had begun administration at age 25 in 47 BCE,[110] and had thus made friends (as well as enemies) in Galilee, Samaria, and Judea, where he had held authority. He and his brothers with their friends had been able to defeat, without foreign help, the conspiracy started by Malichus (*War* 1.227-40; *Ant.* 14.283-99). In this conflict he had captured (and kept) Masada. When he had to flee Judea in 41 BCE he could take a company of—reportedly—9,000; it enabled him to beat off a serious Judean attack. On reaching safety in Idumea he sent away most, but left 800 as guards for his women folk in Masada. Besides these, shortly afterwards, when he went to Egypt and thence to Rome, he took with him enough to fill a trireme (*War* 1.280f.; *Ant.* 14.378).

Consequently, when he got back to Ptolemais in 39 BCE with his new Roman title, he was probably able to recall quickly many of his former soldiers, as well as to hire new mercenaries. (Roman troops were not available. Ventidius, Antony's general, had left a small force to besiege Jerusalem, but was busy with the rest in Syria.)[111] Herod, with his own troops, went first to Galilee where he had been governor.

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[110] *Prosopographia Imperii Romani,* 2nd ed., IV.1 (1952) 83, correcting *Ant.* 14.158 (cf. *War* 1.203).

[111] H. Gundel, "Ventidius (5)," *RE* 2R 8 (1955) 807-12.

"Almost all Galilee came over to him."[112] This statement obviously came from a eulogy. Probably he did get some men. Next, to Joppa, an old Judean colony that had profited from piracy (Strabo 16.2.28); it had to be conquered and he had enough men to conquer it. This provided money, gave him a tax-free port and perhaps some ships, and opened the way for relief of Masada, which Antigonus' forces were besieging, and for rescue of his family. Going through Idumea he attracted a large following, old friends and new joiners (*War* 1.293; *Ant.* 14.398). From Masada to Jerusalem his following increased; country places submitted, deserters from the city came in numbers. Thus far (if we can trust Josephus, who is hostile) he had had no substantial help from the Romans.

What follows is often incoherent and self-contradictory, perhaps a drastic abbreviation of several texts. The basic facts: Galilee often revolted, but was resubjugated; Jericho was divided, the rich for him, the poor against; the Judean countryside was generally hostile; Idumea (except for occasional trouble makers) and Samaria (with similar exceptions) were friendly. He quartered his family in Samaria and celebrated there his marriage with Mariamme, which made him grandson-in-law of both Hyrcanus II and Aristobulus II. When he came back to the siege his army is said to have totaled 30,000 besides his former troops (*Ant.* 14.468), and he now had large Roman support. Nevertheless, although the Pharisees urged them to admit him (*Ant.* 15.3), the people of Jerusalem stood a long siege. Since the city was controlled by Antigonus, the question of Herod's popularity is left open. Some indication is given by troop figures. Allowing for exaggeration, we may suppose he had 30,000 men in all. If 10,000 were mercenaries (Janneus had had only six to nine thousand) there would remain about 20,000 partisans who were willing to follow Herod and fight for him when his chances were still uncertain. (He might be killed in battle or poisoned, Antigonus might win over the Roman commander, the Parthians might come back ... Who knew?) In proportion to their families and friends, the men who came out to fight for him were probably less than one to ten; so his force of 20,000 probably came from a body of more than 200,000 supporters in the population. Did Antigonus have more?

In reading Josephus' reports of popular support for the Hasmoneans, we must remember that Josephus himself was of the Hasmonean family; this we know, for Josephus tells us so. The knowledge of it grew in him with time: When he began *War* he was merely "son of Matthias... a priest from Jerusalem" (1.3). After a dozen years in Roman Jewish society, he was "nearly" related to the

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[112] *War* 1.291; *Ant.* 14.395; cp. *War* 1.303; *Ant.* 14.413 (revolts).

"Kings from the Hasmonean line,"[113] this is why he has an honored place in the priesthood, and thinks it beneath him to tell anything false about them (!). A few years later, and all ambiguity is gone: "I am of the royal family on my mother's side" (*Vita* 2). From a witness so highly placed above prejudice we should expect perfect veracity, were it not that he was also much indebted to his (not-very-close) relative, King Agrippa II, for information and patronage.[114] Agrippa II was great-grandson of both Herod and Mariamme the Hasmonean, but Herod had executed both Mariamme and his grandfather (Aristobulus IV), and even worse had been a *parvenu,* so Agrippa II much preferred to recall his relation to the "Kings from the Hasmonean line." Also, he may have harbored some hope of an ultimate restoration, a hope Josephus tactfully encouraged by providing historical evidence of the popularity of former Hasmonean rulers. Such evidence should therefore be discounted sharply, and the fact that Hyrcanus II and Herod were put in by the Romans should be balanced by the fact that Antigonus was installed by the Parthians, and Aristobulus II by the Itureans and Janneus' bully boys (whom the Pharisees had tried to execute).[115]

Allowance must also be made for Josephus' misunderstanding of the events. He had grown up while the revolt of 66 CE was brewing and had been so much involved in it that he got a place on a committee sent to Galilee by some Jerusalem leaders, a place he parlayed into some sort of local command that led the Romans to think him important. His failure as a commander, acceptance of the Roman triumph, success in exploiting it for his advantage, and complete rejection, for political purposes, of his earlier revolutionary dream, "The people will unite against the Romans," did not obliterate the influence of this dream on his thought about pre-revolt history.[116] He had been taught, as an adolescent, to see the preceding century as a prelude to the realization of this hope. When the hope proved false in the present, he nevertheless continued to see the past as he had before, substituting his more realistic view only when forced to do so by his own memories of events or his new determination to exculpate the people as a whole from the charge of revolt.

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[113] *Ant.* 16.187. The ambiguity is that of Swift, "The Progress of Marriage."

[114] S. Schwartz, *Josephus and Judaean Politics,* Leiden, 1990 (Columbia Studies in Classical Tradition 18), 110-160, gives a detailed history of this relationship.

[115] Compare the credulity of M. Stern, "Social and Political Realignments in Herodian Judea," *The Jerusalem Cathedra* 2 (1982) 40f.

[116] Nor even the influence of his revolutionary values. The heroism he most admires, even in his enemies, is the ability to hold to one's principles, endure torture, and die without flinching. He praises it with the eloquence of one who could not display it; cf. *War* 2.152f.; *War* 7.333-336; *Ant.* 15.287f. This lofty glorification of suicide with its Stoic facade, is built on self-hatred.

Hence his misunderstanding of the reign of Hyrcanus II, an age of dynastic conflicts, not revolts of the *ethnos*—neither side was "the *ethnos*"—against outside powers.[117] Similarly he misunderstood the politics of the early years of Herod' s reign when the old, Hyrcanian party split, some joining Herod's followers, others joining the Aristobulus-Antigonus party which now, lacking a viable candidate, concentrated its attack on Herod as a parvenu, not of royal stock, only half a Jew, an insult to national tradition. So long as they had any hope for Roman support they could not add, as an objection, "an agent of Rome." Only as they gradually gave up hope of a Roman reversal did they gradually begin to accuse Herod of serving the Roman cause. Thus the dynastic conflict gradually, but only gradually, turned into a disorganized but widespread ethnic resistance. More information would probably show that Herod at first succeeded in building a substantial Herodian party, but lost much of it in the domestic reign of terror at the end of his life.[c] What then remained was shattered by the division of his kingdom and the quarrels of his sons, so that the "Herodians" of Mark (3:6 and 12:13) and Matthew (22:16—still cooperating with the Pharisees!) puzzled even Luke, as they have most later commentators. Agrippa I had not the time, nor Agrippa II the position, to rebuild the party. By the late fifties CE various resistance groups were able to join in opposing simply "the Romans," though their junctures were far from complete or permanent.

How much of this history Josephus knew, is hard to say. His chief "modern" source, Nicholas, failed him shortly after Archelaus' deposition. From then, on to his own time—roughly from 6 to 56 CE (when he turned 18)—his information about Palestine is spotty. Fortunately for history, however, he was a lazy and careless author.[118] Instead of research and reconstruction, he much preferred free paraphrase of available sources. When one of these sources praised Herod highly, Josephus would transcribe or paraphrase the eulogy without taking the trouble to reconcile what he was copying with his own slanders. The praises are no less obviously prejudiced than the polemics, but prejudiced statements are often true, so neither can be rejected at once. Both must be evaluated by comparison with the course of events. What were the facts?

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[117] None of the Hasmoneans had been anti-Roman in principle. From Judas Maccabeus on they had sought Roman assistance and often got it. Even Antigonus in his last days was intriguing for the support of the officer in charge of the siege, *Ant.* 14.403f; *War* 1.302; *Ant.* 14.412; etc. U. Rappaport, "La Judée et Rome pendant la regne d'Alexandre Jannée," *REJ* 127 (1968) 329-45, tries to find a long-term anti-Roman policy in the adjustments by Salome and Janneus to the temporary predominance of Tigranes and Mithridates in their part of the world, but the long-term policy he reveals is, in fact, opportunism.

[c] [Below Smith doubts the veracity of this reign of terror.]

[118] S. Cohen, *Josephus,* especially the passages cited on p. 276 under the heading, "Josephus: ... inconsistency and sloppiness."

It is certain that Herod's reign gave the Judeans and the *Ioudaioi* peace. After seventy years of recurrent wars, from 107 to 37 BCE, the thirty three years of his reign saw fighting only in three: an operation against the Nabateans was assigned him by Antony in 32 and ended in 31; he himself in 9/8 led a brief punitive campaign against brigands in Trachonitis.[119] Whether or not during this long peace (guaranteed, not to say, enforced, by Augustus) he chose to keep his army at 30,000, is unknown, but unlikely.[120] He didn't need it. Never, during his reign, did he have to deal with any serious revolt. Had there been one, Josephus would have happily reported it.[121] That their absence was due solely to suppression seems unlikely because, once resistance to the Romans became serious, the Romans themselves were unable to keep the country quiet.

Moreover, Herod was not indifferent to his people's needs. He made severe financial sacrifices to relieve a famine in 25 BCE (*Ant.* 15.299-316); about 20 BCE he cut taxes by a third after bad harvests (*Ant.* 15.365); in 14 he cut them by a quarter after his great expenses to win Agrippa's support for the Jews of Asia (*Ant.* 16.62-5). Augustus, who was a sharp judge of administrators and particularly disliked revolts (they were expensive) was well pleased by Herod's performance and showed his pleasure by repeatedly extending his territories.[122]

This record, especially the absence of revolts, makes most unlikely Josephus' claims that Herod was generally hated by his subjects. We should therefore look at those claims more closely. Like Josephus' own claims to royal ancestry, these claims too seem never to be mentioned in *War*.[123] The silence about Josephus' ancestry we might attribute to his charming modesty, but what could explain his failure to mention so important an historical fact as the general hatred of Herod? In this case, ignorance. Since the charge was probably false (as shown above) it was probably not a common report, but a libel Josephus found in some single source [when writing *Ant.*]. The first time he uses the charge, he cites Strabo as evidence (*Ant.* 15.8ff. citing FGrHist 91 F 18). Was Strabo the source?[124]

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[119] *War* 1.364-72; *Ant.* 15.108-20; 16.286-99; cf. Nicholas of Damascus, FGrHist 90 F 136. Herod also contributed 500 men (mercenaries?) to the exploratory campaign of Aelius Gallus in Arabia in 25-24 BCE (*Ant.* 15.317).

[120] The sudden diminution of Judean coinage in north Galilee (see above n. 80) argues against it, but is not conclusive. Herod probably preferred to recruit fellow Idumeans.

[121] The worst thing he could find was a conspiracy when Herod was reported to be dying: about forty young men cut an eagle off the pylon of the temple. They were rounded up, apparently without serious trouble, and condemned to death; the condemnation was approved by a public assembly; yet Josephus calls the episode a "revolt of the common people" *(demotike epanastasis), War* 1.648-55, 667-73. His judgment was apparently based on the fact that after Herod's death a series of protests, organized to make trouble for persons involved in the event, got out of hand (because Archelaus, not yet confirmed as king, was afraid to suppress them at once), and led to a riot in which many were killed. A riot is not a revolt.

[122] Herod probably had Judea, Idumea, the southern Perea, and Galilee after Actium. In 30 BCE he was given Gaza, Anthedon, Joppa, and Strato's Tower (along the coast), Jericho and its district, Samaria, and in northern Transjordan, Gadara and Hippos *(War* 1.396-7; *Ant.* 15.215-17). In 23 BCE Augustus gave him large tracts north-east of them—Trachonitis, Batanea, Auranitis *(War* 1.398; *Ant.* 15.343-8); in 20 BCE, territories north of Hippos—Gaulanitis and Ulatha (the upper Jordan valley, *Ant.* 15.360). In all this period he lost Augustus' favor only for about a year (8/7 BCE) and then (reportedly) because he was slandered *(Ant.* 16.286-92, 335-55).

Once he had found it, Josephus treated it with his usual inconsistency. It is rarely mentioned, perhaps because there was little evidence for it, so the best (worst?) he could do was insert it occasionally where it did not fit. For instance, in the episode of the trophies set up around the Jerusalem theatre (*Ant.* 15.267-91). They drew protests because they were thought to be statues. So Herod had one publicly stripped and showed the bare beams beneath the armor. At this the outcries turned to laughter and he won over the majority (280). "Some," however, remained angry, calling him "an enemy of all the *ethnos.*" Ten of these formed a plot to assassinate him in the theatre (evidently he was popular enough to go there without many guards). The plot was betrayed and Herod did not think it improbable, "considering the hatred of himself which he knew *most people felt,* and the disturbances arising *on every occasion*" (286, my italics, neither claim substantiated). So the conspirators were invited to the palace. Evidently they thought it safe to accept the invitations, but they were arrested on arrival, confessed the plot, and died with the high moral dignity Josephus sometimes attributed even to unsuccessful murderers (cf. n. 116). No public disturbance followed. Clearly the references here to general hatred of Herod are interpretations added by Josephus and refuted by the facts. Moreover, the following report that Herod's building program was motivated mainly by fear of rebellion, resultant from these events (*Ant.* 15.292), is chronologically impossible for structures erected before 27/6 (the date of the conspiracy), and is absurd for complexes like Caesarea, Phasaelis, Paneas.

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[123] *Seem—I* have checked only the uses of *misein, misos, ekhthra,* and *ekhthros,* so expressions of the idea in other words may have escaped me.

[124] The primary source may have been Cleopatra. In Strabo the libel appears as part of an excuse for Antony's execution of Antigonus—contrary to Roman custom. Cleopatra is said to have liked Antony; she hated Herod (*Ant.* 15.75-9, etc.). Her story would have circulated in Egypt. Strabo may have learned it from Aelius Gallus, prefect of Egypt about 25 BCE, when Strabo visited him there. Gallus was the adoptive father of Sejanus, whose hostility to the Jews is either reported or invented by Philo, *Legatio ad Gaium* 24.159f. For data and doubt see M. Smallwood's commentary, Leiden, 1961, ad loc. Further, *PIR,* 2nd ed., I (1933) nos. 179 and 255; G. Aujac and F. Lasserre, introduction to Strabon, *Géographie* I.1, Paris, 1969, p. xxxv.

Similarly the account of the famine of 25/4 has been skewed. The pro-Herodian source said it made Herod hated by his subjects but added in his defense "because hard times always make people blame their rulers" (*Ant.* 15.304). It then told of his efforts to relieve the suffering and concluded that these so impressed the *Ioudaioi* "that the old hatreds were eradicated from the entire *ethnos* and the zeal shown in help during the crises seemed a fair exchange" (*sc.* for the prior suffering, *Ant.* 15.315). Clearly "the old hatreds" were those produced by the famine. But Josephus saw his chance and inserted a gloss to make them "the old hatreds stirred up by his recasting some things of the customs and of the monarchy," matters not here in question.

Again, when he reports the tax cut of 20 BCE Josephus says it was "on the pretext" of bad crops, "but more to conciliate those ill disposed" because his policies threatened their religion and customs (*Ant.* 15.365). "More" is obviously questionable, but here he cites some evidence: assemblies were prohibited,[125] informers multiplied, and a loyalty oath was imposed (366-71). These do indicate substantial opposition, but neither indicate its cause nor prove that the opponents were the majority. In fact, most of his subjects consented to take the loyalty oath.[126] Perhaps uneasily, Josephus supplemented his pretended evidence of general hatred for Herod with a passage of psychohistory explaining why Herod hated the Jews. Again the hatred is not demonstrated, but is "explained" by the fact that their law prohibited them from honoring him with statues and temples (*Ant.* 16.158). This is written as if Herod were neither a Jew nor an adherent of the Mosaic law.[d] With this Josephus lets the matter drop and turns to gloat over Herod's domestic disasters (book 16, end, and most of 17).

To close the account, however, he tells the following story: Herod at the end was bitter because he believed the *ethnos* took pleasure in his misfortunes (*Ant.* 17.148); he said he knew the Judeans were praying for his death (17.176); therefore he called in all the distinguished men "of the whole *ethnos,*" shut them up in the hippodrome of Jericho, and, with his sister Salome and her then husband Alexas, had one of those secret bedroom scenes about which Josephus was so well informed (cp. n. 93). He told them that before announcing his death they should have his soldiers kill everyone shut up in the hippodrome.

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[125] The assertion that walking or living together was prohibited (in the city!) is absurd.

[126] As to the Pharisees, *Ant.* 15.369-70 is more ambiguous than the Loeb translation suggests, but *Ant.* 17.42 indicates refusal.

[d] [Note, however, that below Smith says several times that Herod was not beholden to pentateuchal law.]

This would assure him that the whole people would mourn when he died, and their mourning would make him happy. Salome and Alexas promised to obey, but as soon as he was dead they dismissed the prisoners unharmed.

This is obviously a folktale. The tyrant who plots to make his victims mourn his death, the notion of mourning as magical (*ex opere operato* it benefits those who die when it is done, regardless of the mourners' intent), the tyrant's good sister/wife/courtier, who foils his dying wish—these need no introduction. Of course, some folktales are basically true, but this is not likely to be one of those. The historical Herod was much concerned about his will, repeatedly altering it and anxious to have it confirmed by Augustus; that he should have done something like this is therefore incredible. Such a massacre would surely have made Augustus declare him insane and annul the will. For the same reason it is incredible that Salome and Alexas, the only parties to the plot, should ever have reported it. Salome was much interested in the validity of that will—it gave her three cities and 500,000 pieces of coined silver (*Ant.* 17.189). She would never say a thing to discredit it. The historical basis may be that an ethnic assembly was called, probably to meet the chosen heirs and hear a final harangue by Nicholas. When the king's illness canceled the proceedings, those invited were held for a few days in the hippodrome and then dismissed at the king's death. The persons immediately in charge of the operation provided no explanation, perhaps from thoughtlessness, perhaps because they had none. Malicious invention took over and drew its inspiration from III Maccabees, which has a plot for a similar massacre. The legend of "the slaughter of the innocents" (Matt 2:16-18) came from the same sort of bloodthirsty fantasy.

Finally, the case for general hatred of Herod cannot be proved by the disturbances that followed his death, nor from the fact that a delegation was sent from Jerusalem to ask Augustus to put Judea under direct Roman government, abolishing the monarchy. The disturbances were produced by distinct, limited groups, exploiting the administrative uncertainty between Herod's death and Augustus' approval of Archelaus.[127] Only in Judea and Galilee did some win brief popular support, in both cases local, and only in the beginning of the trouble in Jerusalem was there a direct relation to hatred of Herod (demands for dimunition of taxes, release of prisoners, and revenge for the punishment of those who had cut down the eagle). The delegation sent to Augustus by "the Jews" (the city council in

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[127] *War* 2.5-13, 39-79; *Ant.* 17.206-18, 221-23, 250-98.

Jerusalem?)[128] is said to have begun its plea for abolition of the monarchy with a denunciation of Herod—a vitriolic example of ancient rhetorical abuse, not supported by particulars.[129] The report of these proceedings is Josephus', but the rhetoric was whipped up by his secretary from the commonplaces of anti-tyrannical literature.[130] Granting that something of the sort happened (and, therefore, that Herod had left many wealthy opponents able to send such a delegation), the question is, how far does the rhetoric correspond to the facts? The absence of serious revolts in a reign of more than thirty years, the evidence that Herod made important efforts to help his people, and the inability of Josephus to find good evidence for extensive resistance (this made him resort to the falsifications reviewed above) make it seem that Herod's government was not bitterly or generally hated.

With the legend set aside we can glimpse the actual figure. An Idumean, one of the *Ioudaioi* allied with the Judeans, Herod was by Judean standards only "a half Jew," as Antigonus called him (*Ant.* 14.403)—a *Ioudaios* by alliance and by the basic rite of circumcision, but not a Judean by ancestry and observance of the pentateuchal law.[131] The history of the *Ioudaioi* and his family history account for many peculiarities of his reign.

His grandfather, governor of Idumea in the days of Janneus, had seen how the support of the *Ioudaioi* enabled Janneus both to overrun the neighboring cities and to put down the resistance of the Judeans and the surviving Shechemites (see above). His father, the general executive officer (*epitropos*) of Hyrcanus II, had taught him that political power depended on manpower, ultimately, therefore, on the Romans, but immediately on the Palestinian troops and mercenaries available. His displacement of the Hasmoneans assured him of much hostility in Judea (however unpopular the individuals, the dynasty had been a matter of local pride). The adherents of Aristobulus' line in Galilee and the Peraea (but not the rest of the populations there) will also have been his enemies. His status as a *Ioudaios* would make the hellenized cities look at him askance. His men and his power would have to come mainly from *Ioudaioi* like himself in Idumea, Galilee, and the Peraea, and from the Samaritans. However, with his own skill and forces, and with Roman support, he could, by military successes, win followers from other areas, even from Judea. And there were always mercenaries. The friendly areas are identifiable as those he used for winter quarters. In the first winter after his return from Rome, these were Idumea, Samaria, and Galilee (*War* 1.302f.; *Ant.* 14.411). The following year and a half saw hard fighting only in Galilee, where he won, and in northern Judea and Jericho where, in spite of his attempt to conciliate the people by marrying Mariamme, grand-daughter of both Hyrcanus II and Aristobulus II, it was only with massive Roman help that he was finally able to take Jerusalem, a strong position requiring skill in siege warfare. The marriage with Mariamme may have been less effective than he hoped because it was celebrated in Samaria, where he had put his women folk for safe keeping (*War* 1.344; *Ant.* 14.467).

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[128] *War* 2.80; *Ant.* 17.299-316.

[129] *War* 2.84-91, enlarged in *Ant.* 17.304-14, but still without any specific reference.

[130] From Thucydides on, ancient historians commonly wrote the speeches for their characters. Josephus was an exception. The speeches for his characters were commonly written by his assistants who could write rhetorical Greek.

[131] That the reference is to his supposedly Nabatean mother is unlikely. The description in *War* 1.181, "a woman of distinguished (parents) from Arabia," probably means, "of a distinguished Idumean family living in Arabia." Otherwise Josephus would have said "of distinguished Arab (parents)," and would have referred to his mother's alien origin from time to time.

Installed as king and married into the dynasty, he was still, in Judean eyes, at best an ally—in the terminology we are using, a *Ioudaios,* circumcised, indeed, but not otherwise an observer of the law. This he remained; it was often a convenience.[132] When fleeing Antigonus, he could put up in an Idumean temple (*War* 1.277; *Ant.* 14.374); after being granted kingship he could join in sacrifices to Jupiter Capitolinus and in a dinner given for him by Antony (*War* 1.284f.; *Ant.* 14.383); before a difficult battle he could hearten his *Ioudaioi* and mercenaries by offering sacrifice (*War* 1.380; *Ant.* 15.147)[133]; he could use pagan symbols on his currency[134]; he could marry his sister to a fellow Idumean aristocrat, Costobar, hereditary priest of the god Qos, make his new brother-in-law governor of Idumea and Gaza, and have his sister divorce him when he proved a traitor.[135] Besides such minor conveniences, his freedom as a *Ioudaios* was essential for his domestic and foreign policy. The ruler cult around the eastern Mediterranean being as it was, no such cities as Caesarea and Seleucia could have been built without temples for the worship of the emperor. Omission would have been considered *lèse majesté* (*maiestas,* an actionable crime). Not to have built the cities would have been almost as bad. Such territorial gifts as Herod received required acknowledgment, and the most appropriate acknowledgment was a city commemorating a name or title from the imperial circle.[136]

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[132] It had also its inconvenient side. For instance, it may explain *Ant.* 15.420, which Hudson was forced to suppose corrupt.

[133] In the *Antiquities* the sacrificial act is described as *kata ta nomizomena.* If this means, "according to the requirements of Jewish law" it is as surprising as a kosher stamp on a ham. Does it mean, "according to (Idumean) custom"? Marcus' note is preposterous.

[134] D. Jacobson, "A new Interpretation of the Reverse of Herod's Largest Coin," *American Numismatic Society Museum Notes* 31 (1986) 145-65, esp. 148-9 and 158-65.

[135] For the name, G. Harding, *An Index and Concordance of Pre-Islamic Arabian Names,* Toronto, 1971, p. 491, and M. Smith, *Parties,* 69. For Costobar's family and career, *Ant.* 15.253-66. Josephus thought Salome's divorcing him to be contrary to Jewish law, *Ant* 15.259. This suggests that the Judean-Idumean alliance provided for valid *connubium* with gentiles.

As a *Ioudaios,* Herod could not only build such temples in Palestine, he could also contribute to the cults of pagan gods abroad, for instance, Apollo at Rhodes, and the Olympian Zeus—he was made honorary president of the Olympic games (*Ant.* 16.147-149). These, and his many contributions to pagan cities, are explained by Josephus as bids for fame and adulation (*Ant.* 16.152ff.). No doubt they were, but they also had a mercenary motive. Most of his gifts went to cities of the Syrian coast, Asia Minor, the Aegean Islands, and Greece. These cities had large Jewish settlements which regularly sent much money to Jerusalem. "Money" meant gold and silver; such coins were in relatively short supply. To have large numbers annually drained from an area raised the price of money there and hindered business. The cities therefore kept trying to hinder such shipments, and the resultant disputes were exacerbated by the other privileges the Jews had been granted, mainly by Julius Caesar: the right not to appear in courts on sabbaths or other Jewish holy days, the rights to form associations, hold funds, erect and own buildings, assemble for worship and common meals, and generally follow the requirements of their own law, including the refusal to contribute to or participate in other cults—an innocent-looking provision which could be interpreted to include freedom from military duty, since the army worshiped as a body.

Herod's father, Antipater, had established the good relations with Caesar from which these rulings probably resulted.[137] They had partially fallen into desuetude during the civil wars and the Jewish communities, in conflicts with their local governments, needed an advocate with standing, who could get respect from local governors and even friendly attention from Augustus. Herod was the man, the more so because, as a *Ioudaios,* he was free to make gifts even to the temples and the religious cults[e] of the cities concerned. Also he had the services of Nicholas, a highly skilled legal pleader whom Augustus liked.[138] The result of all this was an empire-wide establishment of Judaism as a religion legally tolerated and protected by the Roman government—the most important achievement of the Herodian dynasty, since it was the legal basis of the religion's survival to and through the middle ages.

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[136] Paneas was excusable as a reference to the local god. The other places without imperial names were minor sites.

[137] Both the relations and the rulings are to some extent conjectural. See the excellent reconstruction by Smallwood, *Jews,* 125-37.

[e] [Smith's original typescript reads "costs," which almost certainly is a typographical error for "cults." In his last proofing of the manuscript, Smith corrected the word to "funds," but what are "religious funds"?]

[138] Plutarch, *Quaestiones convivales* 8.4.1, end (723D) [= FGrH 90 T 10].

Herod's status as a *Ioudaios* probably put him also on good personal terms with many in the diasporic communities who were themselves *Ioudaioi* or descendants of *Ioudaioi.*[139] In the predominantly pagan world of the diaspora it is likely that Jews, Judeans, and *Ioudaioi* often stuck together, overcoming their differences by compromise or neglect. We have little evidence on the requirements for admission to diasporic synagogues; no doubt they differed greatly. We find Philo writing of Alexandrian Jews who thought the commandments allegorical, to be understood, not obeyed (*De migratione Abr.* 16.89). Josephus tells us that the first Jewish mentor of the King of Adiabene assured him, "It is possible ... to revere the deity even without circumcision ... To be a zealous adherent of the ancestral customs of the Jews ... is more important than being circumcised" (*Ant.* 20.41). But what did such people think "the ancestral customs of the Jews" were? In Sardis they seem to have included sacrifice, since the assembly of Sardis gave the Jews there a place to perform it (*Ant.* 14.259ff.).[140]

Whatever they were, there is no doubt of Herod's ability to secure Roman approval, or of the financial importance of this for the income of his kingdom. His greatest triumph would seem to have been in 14 BCE, when he got Marcus Agrippa, then Augustus' personal representative in the east, to meet with the representatives of the Jews of Ionia and hear a presentation, by Nicholas, of their grievances against the cities in which they lived, and their petitions for remedies. Agrippa granted them everything they asked for. Herod came home, reported this to an assembly, and at the same time announced a 25% tax cut for the coming year—probably in anticipation of the increased income from Ionia (*Ant.* 16.16-65). If Ionia alone could give so much, what could be expected from the other areas of the diaspora: the Black Sea coasts, the rest of Asia Minor, Syria, Parthia, Mesopotamia, Egypt, Cyrenaica, Africa, Sicily, Italy, Gaul, Greece, Macedonia, Crete, Cyprus—to mention only those with substantial Jewish populations?

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[139] It will probably, however, not have sufficed to overcome the partisan hostility of those who were captured and enslaved as supporters of Aristobulus or Antigonus. Descendants of such were probably the 8,000 Jews of Rome who supported the delegation from Jerusalem asking that the kingship be taken from the house of Herod, and the Herodian territories be added to the province of Syria (see above n. 129). Such a demonstration is easier to understand as an expression of hatred for the Herodians, than as one of appreciation for Roman government. (Cp. Smallwood, *Jews,* 109.)

[140] Additional passages in Smith, *Parties,* 72f. Marcus' note in the Loeb Josephus, ad loc., "'Sacrifices' ... must here be used in the ... sense of 'offerings'," illustrates the exegetic use of the categorical imperative—the sort without rational basis.

To increase the attachment of diasporic Jews to Palestine, Herod tried to improve Palestine's tourist attractions. First of all, the temple. His magnificent rebuilding, which made it one of the wonders of the world, was not merely to conciliate the Judeans and advertise himself (as Josephus suggests, *Ant.* 15.380). It was also to attract the diasporic Jews and also to hold the loyalty of the *Ioudaioi* (in danger of drifting off, now that the old alliances meant little) and also to provide work for the craftsmen of Jerusalem and attract craftsmen for the work. (When it seemed at last to be about to be wholly completed, in 64/5 CE, the eighteen thousand and more workers still employed on it had to be set to paving the city streets with white stone, *Ant.* 20.222.)

Along with its practical importance, the temple gave Herod a magnificent opportunity to indulge his love of beauty and his great ability and greater passion for monumental architecture.[141] But it was also important for his own, Idumean religion. It was his ancestral shrine, as well as the Judeans'; the god was the god of his fathers, as well as of theirs. He consecrated to it his most extravagant gift, and when that was vandalized he reacted with true religious rage. (Following Josephus, *Ant.* 17.149-61, modern writers discussing the incident have spoken only of the religious feelings of the vandals.)

Caesarea and Sebaste are to be seen primarily as approaches to the temple. Caesarea was the monumental gateway to Palestine, built especially for the temple trade from the north and northwest; Anthedon was rebuilt as Agrippias for that from the south. Sebaste was the half-way stop between Caesarea and Jerusalem, a fine new city, well worth several days' rest. From Jerusalem the pious or curious would want to go on to the Idumean Abrahamic shrines of Hebron and Mambre;[142] these also—especially the great *temenos* at Hebron—Herod rebuilt magnificently. (Josephus does not mention them in his list of Herod's buildings; his father, a priest of Jerusalem, had disliked the competition.) For these, too, there was a half-way house, the spectacular castle-palace of Herodium, with accommodations for travelers at the base. Herod built it to be his tomb and monument, at a site where he had defeated the Judeans (*War* 1.265, 419ff., 673; *Ant.* 14.360; 17.199).

The common interests of the *Ioudaioi* and the diasporic Jews found another expression in the creation of a new high priesthood, mainly from diasporic families.[143] The change was of more than ritual and symbolic importance. It improved the ties of the diaspora to Jerusalem, and also presumably, the contributions. In Jerusalem itself, it created a sharp breach between "the high priests" (those of the chosen families) and the old, hereditary Jerusalem priesthood, probably the backbone of resistance to the new order. The High Priest not only had at least nominal control of the temple money, but also presided over the court which interpreted the law. Presumably temple funds would be made available for the needs of the state, and religious law interpreted to meet them, but the presumption must go almost unsupported, since the transactions of the temple treasury were never reported and whatever reports there were of Herodian halakha have been lost, not to say, obliterated.

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[141] The eulogy by E. Netzer, "Herod's Building Projects," *The Jerusalem Cathedra* I (1981) 48-61, is wonderfully perceptive of things indemonstrable, but rests on a reasonable inference from the magnificent remains to the character of the man who ordered the buildings.

[142] E. Mader, *Mambre,* Freiburg i.B., 1958.

Inferential evidence of obliteration is sometimes available. For instance, a major embarrassment to the Herodians must have been Deut 17:15, "You are to appoint a king over you from among your brethren; you shall not have the right to impose on yourselves an alien *who is not your brother.*" Josephus probably had this in mind when he made Antigonus complain to the Romans that their backing of Herod, an Idumean, was contrary to Jewish law (*Ant.* 14.403f.). Characteristically, neither Antigonus (in Josephus' report) nor Josephus himself said anything of Deut 23:8f., "You shall not despise an Edomite, for *he is your brother* ... the third generation of children born to them shall (be permitted) to enter the assembly of Yahweh (i.e. become Israelites)." The Edomites became the Idumeans. If the story of their compulsory conversion were true, Herod's grandfather, an associate of Janneus, must have been a convert's son or himself a convert; Herod's father, an associate of Hyrcanus, must also have been a Jew, and Herod himself would have been at least of the third generation.[144] Nevertheless, when *his* grandson, "Agrippas the King" (probably Agrippa I), at the end of the feast of booths, had to read the law about the king and came to Deut 17:15, tears came to his eyes. The officiants said to him, "Don't be afraid, Agrippas; you are our brother, you are our brother" (Sotah 7.8). Had the family been Jewish for five generations, the tears would have been needless and the assurance impertinent. Presumably the family had remained Idumean *Ioudaioi* and the assurance was based on Deut 23:8f. But 23:8f is not mentioned. It must have had an important place in the politico-religious teaching of Herod's priestly supporters. The silence about it in the preserved material shows how thorough the censorship has been.

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[143] Judean local feeling probably prevented any non-Judean *Ioudaioi* of Palestine from becoming priests of Jerusalem. Who succeeded Costobar in the priesthood of Qos, and who were the priests at Dan, Mambre, and Hebron, we should like to know.

[144] S. Cohen, "Origins of the Matrilineal Principle in Rabbinic Law," *AJS Review* 10 (1985) 19-53, has shown that determination of gentilic status according to that of the mother was not customary before the second century CE.

How much importance Herod would have attached to such arguments is uncertain. This one might have helped reconcile some Judeans, and so have been useful. But his own religious life seems to have been shaped by his Idumean background. Circumcision he insisted on for men entering his family. Even his sister Salome was not permitted to marry the Nabatean grandee, Syllaeus—a marriage which might have been of great economic and diplomatic advantage—because he would not consent to circumcision.[145]

Herod's concern for Idumean[f] shrines and his rebuilding of Hebron, Mambre, and Jerusalem, have already been mentioned. In accord with this concern are the efforts he reportedly made, when capturing Jerusalem, to keep his gentile soldiers out of the temple, and all soldiers from entering, or even looking into, the holy of holies (*War* 1.354; *Ant.* 14.482ff.). This concern also helps explain why he kept Jerusalem as his capital, instead of moving to Samaria, or even, as the Romans later did, to Caesarea. (Little help is needed, however; money was probably decisive. The contributions from the diaspora determined the buildings of Jerusalem, the buildings then fixed the capital there.)

Since we know so little of Idumean food and purity laws we cannot tell whether his abstinence from pork, attested by Augustus' pun,[146] and his concern for ablutions, attested by the baths and pools of Jericho,[147] were indications of Idumaean observances or concessions to the Jews of his staff and his harem. The same uncertainty attaches to the consistently aniconic decorations of his buildings. The eagle on the portico of the temple may have marked a final break with his own traditions.[g] He either inherited or respected the rural Idumeans' hostility towards hellenization in Idumea—he never rebuilt Marisa nor, from all we hear, Adora.

Josephus claims that none of the pagan temples Herod built was "in the land of the Jews," since the Jews "would not have tolerated ...

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[145] *Ant.* 16.225. Some sixty years later, his great grandson, Agrippa II, still observed this rule, *Ant.* 20.139.

[f] [Smith's manuscript reads "Nabatean."]

[146] "It's better to be a pig *(hus)* of Herod's than a son *(huios),*" Macrobius, *Saturnaliorum* 2.4.11 [= Stern, *Authors* II.665f.]. The Greek pun is lost in Macrobius' Latin.

[147] S. Singer, "The Winter Palaces of Jericho," *BAR* 3,2 (1977) 6-17. Both the immersion tank and the synagogue of Masada, if Herodian, must have been, because of their size, conveniences for only a few of the large staff, and because of their finish and location, probably not for the king.

[g] [Note, however, that above Smith speaks of the eagle as a sacred object for Herod.]

reverence of statues and pictures" (*Ant.* 15.329, a warning to the Romans). Consequently Josephus goes on to claim that Caesarea is in Phoenicia (333). Would he have claimed that Sebaste in Samaria was also outside "the land of the Jews"? Probably, since he tells with pleasure of a later occasion when Vitellius came down the coast with an army and the foremost Judeans besought him not to go through "the land of the Jews" because "it was not their ancestral custom to tolerate images being carried through it"; so he consented and went through—the great valley (*Ant.* 18.122). By "the land of the Jews" Josephus seems to have meant here "the land of the Judeans," i.e. Judea. If Herod held similar views, he may have thought himself within the limits of whatever religious law he revered—a fine subject for speculation.

Without much speculation one can say that the preceding data are not well explained either by the supposition that Herod was a complete unbeliever whose occasional acts of apparent piety were produced by materialistic self-interests or by the (common) supposition that he was an orthodox Jew who was very, very naughty. Complete unbelievers are rare in antiquity, and it seems unlikely that one in Herod's position would have contented himself with such austere decorations in his private quarters. On the other hand, Herod's divergences from what is commonly thought to have then been "Jewish orthodoxy" are so great, that it is easier to think his behavior limited (with expectable lapses) by some set of norms [otherwise] unknown to us. These may well have been the beliefs and practices of an Idumean *Ioudaios.*

THE ROMAN TAKEOVER

In spite of Herod's example, during his reign the position of the *Ioudaioi* declined. A strong central administration maintained a long peace and thus diminished the importance and income of its military allies. Hence the drop in the numbers of coins found in north Galilee (see above). This was probably made more severe by the continued attachment of many Galileans to the family of Aristobulus, which proved dangerous when Herod's sons by Mariamme plotted a revolt. Josephus, to flatter their grandson/grand-nephew, Agrippa II, represents them as completely innocent and reduces the army's support to pity and a speech by one old soldier, but he then adds that Herod found three hundred officers so deeply involved as to deserve execution (*Ant.* 16.375-93). Admittedly Herod's criteria for involvement were low, but he probably valued his army officers—a selected and trained group—and he would hardly have risked widespread disaffection in the army had he not been sure it was already there. We may suppose that after this the backgrounds and sympathies of Galilean recruits were checked and relatively few were accepted.

Idumeans doubtless continued to be favored in recruitment, but recruitment shrank and pride of place in the army went to the king's bodyguards and corps of exotic mercenaries with bigger bodies and fancier armour. At Herod's funeral the army's procession was led by (1) the bodyguards, (2) the Thracians, (3) the Germans, (4) the Gauls (*War* 1.672; *Ant.* 17.198). Even if the bodyguards were Idumeans, those in the rank and file must have boiled. Four or five years earlier Herod had settled three thousand of them in Trachonitis, only to let them be overrun by the local brigands and the Nabateans (*Ant.* 16.283, 292). And instead of sending more settlers and making the district solidly Idumean, he had got a company of Babylonian Jews who were not *Ioudaioi* at all, but observed the Jewish laws, and had settled them next door and given them exemption from all royal taxes—a favor not given the Idumeans (*Ant.* 17.25). No wonder that after Herod's death the veterans in Idumea revolted and the revolt spread to "10,000" (one of Josephus' too round numbers) before they were calmed (*War* 2.55, 76f.). What they wanted and what they got are alike unknown, but the relations of the Idumeans to the central government seem to have cooled.

The Iturean kingdom had been dismembered and the parts were irregularly being attached to, and taken from, the province of Syria. Some were ruled briefly in the thirties and forties CE by Agrippa I, and for forty or fifty years (c. 51-90/100 CE) by Agrippa II, but there is no evidence that either dealt with *Ioudaioi* as a class. Earlier a few Itureans had found places in Herod' s court; Soemus, one of his most faithful friends, was an Iturean who died of being left in charge of Mariamme. Generally, however, Itureans seem to have played no important part, henceforth, in Jewish history.

Like the Itureans, the Galileans had been divided. The splitting up of north Galilee left no political solidarity there. Central and southern Galilee had been torn by fights between Aristobulus' line and, first, Hyrcanus' adherents, then Herod (see above). Many of the partisans of Aristobulus and his sons had been killed or enslaved.[148] Their places were probably taken by migratory workers from neighboring areas; to Matthew, writing a century later in neighboring Syria (?), Isaiah's expression, "Galilee of the (many different) *ethne,*" still seemed appropriate (Matt 4:15; Isa 8:23). However, Herod had had his

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[148] The survivors suffered a major defeat shortly after Herod's death when they took up arms and the revolt was suppressed, Sepphoris burned, and its population sold into slavery *(BJ* 2.56,68; *Ant.* 17.271, 288f.). For the earlier calamities, see *BJ* 1.177, 180, 204, 307-8, 310-13; *Ant.* 14.102, 120, 159, 413-17, 421-30. Many Galileans probably accompanied Antigonus and were captured by Sosius or Herod.

Galilean partisans, too, and had rewarded them; they remained strong in the land and probably begat the great-great-grandfathers of the prosperous "Jewish" landowners whose indifference to the law scandalized the Judean rabbis when they came north in the mid second century CE.[149]

Samaria, as a Macedonian-Greek colony, had been rebuilt by Gabinius (Shechem had not). Samaria probably got back as many as possible of its former citizens, and was filled out with local people, very likely ones the citizens recommended. The new citizen body expressed their thanks by calling themselves "Gabinians."[150] Herod rebuilt the city on a much larger scale, adding 6,000 colonists, "many of those who had fought as allies with him in his wars and many people of the vicinity" (*War* 1.403; *Ant.* 15.296ff.), presumably including a good number of ex-Shechemites and other *Ioudaioi.* The city furnished a corps of 3,000 soldiers, first for the army of Herod and Archelaus, then for the Roman governors, then for Agrippa I, and then again for the Romans, thus maintaining the tradition of the connection between the *Ioudaioi* and Samaritans and the Herodian/Roman government.[151] They also maintained and intensified the hostility to the Judeans that had been traditional in some Samaritan circles (as that to Samaria in some Judean)[152] and had been communicated to the Macedonians by Hyrcanus' destruction of the city. Whether the *Ioudaioi* in the new foundation continued to think of themselves as such, and whether the survivors of the Shechemites continued to identify Yahweh with Zeus Hellenios as they formerly had (*Ant.* 12.261-3) is uncertain. However, the common identification of their troops, the *Sebasteni,* as ordinary pagan troops is almost certainly mistaken, and the possibility that the city became a center of syncretistic Samaritanism cannot be ruled out. Prima facie evidence is the figure of Simon "magus."

In these various ways, the Hasmonean structure of religious and military alliances partially disintegrated, partially was replaced by different connections. Another of these connections was that of religious assimilation. The original alliance had been based on common religious practices, but it had brought the peculiar practices, beliefs, and literature of the Judeans to the attention of the allies. That assimilation often followed is certain from the results, though the process is not documented. ("Conversion" is not the right word here, since the allies were *Ioudaioi* already in popular parlance. Besides, for the question, "How far must assimilation go before it becomes conversion?" the commonly accepted answers were not worked out before the second century CE.) Change in the opposite direction also occurred, as the case of Tiberius Julius Alexander shows. Presumably he was the most successful of many brothers. Inside the Herodian kingdom it probably paid, for the ordinary man, to be a Judean in Judea and a *Ioudaios* elsewhere. Much attention has been given to the difference between the history of ancient Judaism in Palestine and its history elsewhere, but the difference between the history of ancient Judaism in Judea and its history in the rest of Palestine has been too much neglected.

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[149] On these, A. Büchler, *The Political and Social Leaders of the Jewish Community of Sepphoris,* London, n.d. (Jews' College Publications I), and compare M. Goodman, *State and Society in Roman Galilee, AD 132-212,* Totowa, 1983.

[150] Cedrenus, ed. Bekker, I, p. 323.

[151] T. Burkill, "Judea under Roman Governors," in Schürer-Vermes, *History* I.363-5.

[152] Smith, *Parties, 144.*

Josephus' view of the matter is expressed succinctly in *War* 2.43 (= *Ant.* 17.254). At Pentecost, after Herod's death, there came to Jerusalem "an enormous crowd from Galilee and Idumea, Jericho and Transjordan," but "the true (Jewish) people, from Judea itself (*ho gnesios ex autes Ioudaias laos*) surpassed the others both in numbers and in eagerness" to make trouble. *Antiquities* omits "true." Perhaps two decades in Roman Jewry had taught Josephus tact, but the original snobbery is clear. For him the *Ioudaioi* were the "mixed multitude" of the exodus; the true Israelites were the Judeans.

Of course Josephus' view was merely a personal opinion. A similar one, however, seems to have been held by the Romans. On Herod's death Archelaus was given mainly Judea, Jericho, Samaria, and Idumea, with the title *ethnarch* ("ruler of the *ethnos*"). Antipas got Galilee and the Perea; Philip, the upper Jordan valley, the Golan, and points north-west; both with the title *tetrarch* ("ruler of a district"). For the Romans, it seems, the *ethnos* was the Judeans and allied *Ioudaioi.* The Galileans had broken the alliance, and the numbers of *Ioudaioi* in Transjordan were not sufficient to make them parts of the ethnic territory.

Returning now to the course of events after Herod's death: since Herod's treasures were the funds of any future government, the people needed no religious or ethnic motive to riot at a Roman threat to seize them. The revolt of the Idumean veterans has already been explained (see above). That a "Judas of Galilee" led a revolt for which Sepphoris was burnt and its people enslaved (*Ant.* 17.271, 289) suggests that many Galileans had gone from support of the Hasmoneans to hatred of the Romans. The troubles in the Jordan valley and rural Judea sound like slave/peasant revolts without extensive ethnic support,[153] but this was how Josephus wanted them to sound. We approach the development of his famous theme, "Our resistance was the fault, not of the whole *ethnos,* but of a few robbers/fanatics." Robbery was endemic in the Roman world, thanks to the social conditions, poor communications, and difficulty of effective prevention and pursuit. It was also, then as now, the means by which many antisocial types supported themselves. Robbers became revolutionists when they could, and revolutionists robbers when they had a chance. Clear distinction is impossible.[154]

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[153] That the leaders in both areas called themselves kings, wore diadems, etc., probably resulted not from messianic theology, but from common lower-class wishful thinking.

The division of Herod's kingdom into three meant that there were now three centers to which its income went, and from which it was expended. The share given to Idumea, Judea, and Samaria, therefore dropped sharply; those of Galilee and Transjordan increased. Understandably there was much dissatisfaction in Archelaus' territory—so much that Judeans and Samaritans cooperated (!) in denouncing him (*Ant.* 17.343). By the time Augustus deposed him and took over his kingdom in 6 CE, only the Idumeans remained loyal to the Idumean. Philip and Antipas began building cities in their provinces (*Ant.* 18.27f.): Autocratoris (ex Sepphoris), Livias/Julias (ex Betharamphtha), Caesarea (ex Paneas), and Julias (ex Bethsaida). Having imperial names/titles, these presumably had cults of the divinities referred to, but Josephus says nothing about the cults. They did not produce, from the *Ioudaioi* in those regions, the protests he thought proper.

An attempted protest which failed was that against the census taken when Archelaus' territory was transferred to the province of Syria. The instigator was a northerner named Judas,[155] evidently a devout Jew, who had some Pharisaic support but failed to win that of most

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The same things happened in the slave revolts in Sicily, Diodorus 34(35).2.41; 36.4.4 and 5.1; etc. These books of Diodorus are full of parallels to the Palestinian history of this period.

[154] Least of all the distinction between wicked robbers and moral bandits, proposed by R. Horsley and J. Hanson, *Bandits, Prophets, and Messiahs,* San Francisco, 1985, p. 87, n. 9, adopting E. Hobsbawm's romantic imagination *(Bandits,* 2nd ed., New York, 1981) of a class of "social bandits"—"social" in this context means "nice"—oppressed peasants attempting a "simple redistribution of goods," "defenders and champions of the common people," and symbols "of the people's hope for the restoration of a more just order," pp. 70-71. In fact ancient bandits lived on the country they infested and for the peasants were one more set of idle mouths to feed. The peasants' unwillingness to report them indicated fear of reprisals. As for equalitarianism, the "robber king" *(arkhilestes)* had power of life and death. (Hobsbawm was anticipated by W. S. Gilbert on the Pirates of Penzance, "They are all noblemen who have gone wrong.")

[155] Josephus in *War* 2.118 said this Judas was a "Galilean"; in *Ant.* 18.4 he corrected himself and said he was "a Gaulanite from Gamala," but in a passing reference in *Ant.* 20.102 he again said "Galilean," perhaps by absence of mind. To suppose this man the same as the Judas who led the revolt in Galilee a decade earlier is equally undemonstrable, unlikely, and unimportant.

people, largely because the high priest opposed him (another example of the Pharisees' lack of popular following). After the census, however, the high priest was soon dismissed by the Roman governor because of popular agitation against him (*Ant.* 18.26). This suggests the fight had been too close for comfort.[156] To judge from Judas, Judaism had been making devoted converts among the *Ioudaioi* of Galilee. This does not look like the Aristobulan tradition, but Antigonus had earlier broken with that tradition by putting more religious symbols on his coinage. Devotion, or desperation? They had not saved him.

Another sign of increasing religious fanaticism (if truly reported) was the pollution of the temple by some Samaritans who scattered human bones in the porches and court (*Ant.* 18.29f). The story is suspect. If the culprits were caught, or even killed, we should hear more about them (number, rank, connections). If they were not caught, how was it known that they were Samaritans? Josephus' suggestion that they had to enter Jerusalem secretly is incredible. Samaritans had held important positions in Herod' s court (*Ant.* 17.69) and we have been told nothing to explain an intervening change of attitude. Has something been suppressed? In any event, the story's circulation attests to the worsening of relations between Judeans and Samaritans.

In Galilee, Herod's policy was continued by Antipas' building of Tiberias (between 17 and 20 CE) but he built it on a site unclean according to (Josephus' notion of) Jewish law. Nevertheless, lots of Galileans wanted to settle there.[157] Presumably they were *Ioudaioi* for the most part; forty-some years later, when Josephus arrived, the city was entirely "Jewish," but with how many of what sorts is not clear. Evidently it had not long been a stronghold of legalism. Herod's palace there had been decorated with representations of animals. They seem to have caused no trouble until Josephus' arrival. When he and his Jerusalem associates came, fresh from the Judean revolt, he asked the members of the city council to have the palace demolished, because of these abominations. Several leading members opposed the request. Negotiations began. Imagine his anger when (he claims) the poor, the sailors and some Galileans (evidently distinct groups), not waiting for him, burnt it for loot. He rushed—to get as much loot as he could, so as "to save it for the King" (Agrippa II, his patron, *Vita* 64-8).

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[156] The passage on the terrible consequences of the rise of a popular sect of fanatics, which Josephus attaches to his report of Judas' preaching *(Ant.* 18.6-10), is probably best understood as an anticipation of the conditions of the sixties CE, since Josephus makes no such complaints about the intervening period. But Judas and Zadok got enough followers to start a sect which Josephus ranks with the Essenes, who had about 4,000, and the Pharisees, who had more than 6,000, *Ant.* 18.20 and 17.42.

[157] *Ant.* 18.36-38. Josephus' malicious gossip about the other settlers is adequately explained by the fact that Tiberias was cool to him during the war. His allegations can hardly be true: a chance to get a place as a citizen, or even a legal resident, in a new royal city, would have been coveted.

The Samaritans were also suffering from religious revivals. In the late twenties many were persuaded to go to Mt. Gerizim to see the sacred vessels buried there by Moses (reportedly, about to be revealed). Pontius Pilate stopped them with considerable fighting (*Ant.* 18.85-7). In Galilee Herod Antipas got rid more quietly of John "the baptizer," a preacher of moral reformation—according to Josephus—who used immersion as a means of sanctifying the body after the soul had been cleansed by repentance. Herod feared his followers might become dangerous, and arranged a quiet execution, about 30 CE. So *Ant.* 18.116-9, saying nothing of John's preaching about the coming judgment and the Messiah, reported in the gospels. Josephus described John's adherents as "some of the *Ioudaioi,*" but adds that "the others"—presumably the gentiles—began also to flock around (116-8). That the first hearers were *Ioudaioi,* and not observant Jews, is indicated by the gospels' report that the high priests, scribes, elders, Pharisees, and lawyers did not believe him, but "the people" and the publicans did.[158] That even the people's acceptance was not unanimous appears from Matt 11:18 and Luke 7:33.

The same holds for Jesus, of whom Josephus' famous *testimonium* (*Ant.* 18.63f.) is almost worthless as evidence (though in this case the fault was mainly his editors'). The gospels unanimously report that he was followed by "the crowd"/"crowds" (of whom the Pharisees are said to have said, "This crowd who are ignorant of the law are accursed," John 7:49). According to the synoptics his words were questioned and his teaching challenged almost solely by the scribes, Pharisees, Sadducees, Herodians, lawyers, elders, and high priests. The only major exceptions are the people of his home town and the disillusioned crowds at the trial and crucifixion[159]; other scenes of popular rejection are few. In John he is often opposed by groups of "the Jews" who commonly appear in Jerusalem and are presumably Judeans; he escapes them by going to Galilee or Transjordan.[160] This may be one of the reliable traits of the Johannine tradition, but such questions are too complex for investigation here.

Suffice it to say that the evidence of the gospels strongly supports the picture given unintentionally by Josephus of the different senses of *Ioudaios* (see above), but shows that a change has taken place in the last of them: The military-religious alliance formed by Hyrcanus and his sons is no more, but the descendants of the allies (and of those subjects/slaves whom they kept in the territories they were able to hold) are still *Ioudaioi* in common parlance, and think of themselves as such; the political-military meaning has been replaced by a social-religious one. They still practice circumcision, observe the sabbath, etc. Most now look to Jerusalem as the great center of their cult. Assimilation to Jerusalem observances is spreading, albeit irregularly.

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[158] Mark 11:31f.; Matt 21:25f.; Luke 20:5-6; also 7:29-30.

[159] Mark 6:1-6; Matt 13:53-58; Luke 4:16-30.

[160] John 5:46-6.1; 7:1; 10:39f.; 11:8, 53f.

Only with Samaria has there been a definite break. Why? What provoked the bone episode? Or was it unprovoked mischief? Or fiction? We don't know. Whatever happened, the author of John (about 100 CE) thought that by Jesus' time (about 30 CE) the Samaritans were no longer calling themselves *Ioudaioi.* "Jews don't associate with Samaritans," says the woman of Samaria to Jesus (John 4:9), the clear implication being, "Nor we with them" (cf. Luke 9:53). In the next generation it would come to open fighting (*War* 2.232-46; *Ant.* 20.118-36). But communication was not wholly broken. Antipas, the ruler of Galilee in Jesus' time, was the son of a Samaritan woman (though he is never referred to as a Samaritan—ethnicity was patrilinear). Josephus, in spite of his dislike of Samaritans, had friends among them to whom he could write for help (and get it) when he had to send messages to Jerusalem (*Vita* 269).

Outside the core country (Idumea, Judea, Samaria, Galilee), matters were different. Judeans, Jews, and *Ioudaioi* all found their ways into the coastal and decapolitan cities and there made the compromises necessary for them to unite in synagogues. But the hostility of and to the gentiles, inherited from the cities' histories, continued and was often exacerbated by the frictions of life at close quarters. When serious fighting finally broke out, Josephus says, "Every city was divided into two military camps" and the conflict was made worse by uncertainty, for, "Thinking they ought to get rid of the Jews, in each city they regarded with suspicion those practicing Jewish ways, and nobody was willing to kill out of hand those (whose attitudes were), in each city, dubious, and those of mixed (ancestry) were feared as certainly alien" (*BJ* 2.463).[161] Evidently assimilation had been going on.

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[161] I cannot agree with S. Cohen, "Respect for Judaism by Gentiles," *HTR* 80 (1987) 409-30, p. 416, that the three terms *(hoi ioudaizontes, to amphibolon,* and *to memigmenon)* are used as synonyms. As to Greek meanings they plainly are not synonymous. Moreover, their different meanings correspond to three different groups that had to be dealt with: (1) the Judaizers, who had clearly adopted Jewish ways; (2) the dubious, who might or might not be Jewish sympathizers in secret; (3) those of mixed ancestry, who regardless of visible practice or possible attitude, had some Jews in their families. Such different groups must, in the nature of things, have really existed in most cities of any size. Since the words are thus readily understandable with their

Estimation of the actual situation outside Judea is made difficult by Josephus' exaggerations. "Many ten thousands," for instance, are said to have appeared in 40 CE before the governor of Syria, both at Ptolemais and at Tiberias, to protest the arrival of Caligula's statue, and to have stayed there for forty[162] days (living on what? *Ant.* 18.263, 271f., 279), this in planting season, so the crops were saved only by a miraculous rainstorm that broke a desperate drought (285f.). In *War* 2.200 a crowd of unspecified size waited fifty days (and the governor waited, too!) without getting a miracle. From such folktales it seems that large crowds came to protest at Ptolemais and Tiberias, but where did they come from?

Their sensitivity to statues contrasts strikingly with the tolerance of the *Ioudaioi* of Caesarea where, in the next year or so, Agrippa I, the friend of the Pharisees (see above), set up statues of his daughters as votive offerings in the imperial temple.[163] Did he count on this remaining unknown to the Jews because no good Jew could enter the temple? Hardly. Nevertheless, the statues caused no trouble until he died, when some of the local soldiers, probably *Sebasteni* who hated him as pro-Jewish, hauled them out and stood them in brothels (about which, also, no pious protests have been recorded). Although Agrippa, not long before, had got the governor of Syria to order the removal of an imperial statue from a synagogue in Dora, where it had been placed by some trouble makers, he seems to have died of a stroke suffered in 44 CE, shortly after he himself was hailed as a god while attending at Caesarea the games for the deified Augustus (*Ant.* 19.300-311, 343-59). The most likely reconciliation of these apparent contradictions is that he was, like Herod his grandfather, a *Ioudaios*. His father, being Herod's son, had been an Idumean, and so was he.[164]

From here to the defeat of Cestius in late 66 CE Josephus' history concentrates on Jerusalem and Judea, with one long digression on the

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normal meanings, the attempt to force them into synonymity is not persuasive. Political interpretation is also unsatisfactory. If *hoi ioudaizontes* are "the supporters of the Jews," and *to amphibolon* "the neutrals," who are the *to memigmenon?*

[162] Forty is a number famous in folklore: the rain for the flood, Moses' stay on the mountain, the Israelites' years in the desert, Jesus' fast in the wilderness, etc.

[163] *oikade* in *Ant.* 19.357 probably means, "to the temple," sc. of the imperial cult, the main temple of the city, where the statues of the girls would have been placed as votive offerings, in the forms of petitioners beside the statues of Augustus and Livia/Julia; cf. L. Ollendorff, "Livia (37)," *RE* 13.1 (1926) 900ff., esp. 907. *Oikos* for "temple" is not rare (LSJ sub voc.) but is less usual than *hieron* and *naos* which Josephus here avoids because they were more commonly used of the Jerusalem temple, with which he did not wish to compare this one

[164] See above, n. 144. Since matrilinear reckoning of ancestry was not yet common, his mother and grandmothers, whatever their ethnicity, had become on marriage, by Biblical law, members of their husbands' tribes; the children belonged to their fathers' *ethne.*

conversion of the royal family of Adiabene, and only brief reports of relevant events elsewhere, mainly the conflict between Jews and gentiles in Caesarea. The account of the Adiabenians is for the society page; in Josephus' opinion it influenced Judaism only through their relief of the famine in Jerusalem (*Ant.* 20.51-3). The most conspicuous example of such concentration, however, is the story of the Judeo-Samaritan fighting under Cumanus (c. 48-52 CE; *War* 2.233-46; *Ant.* 20.118-36). In *War* a single Galilean going to Jerusalem is killed in a village in Samaritan territory. The Galileans assemble to attack the Samaritans but their leaders go to complain to Cumanus. He does nothing; they and their following are forgotten; the story turns to the Judean reaction and the effort of the rulers of Jerusalem to cool it. They argued that it would be foolish to risk "their native land, temple, children, and wives ... to avenge one Galilean" (*War* 2.237). In *Ant.* 20.118 "many Galileans" were killed (better to excuse the Judeans' violence), but nothing at all was said about avenging them (20.123). This accords with Josephus' consistently condescending references to Galileans in *Vita* and *War*.[165] They are an *ethnos* sharply distinguished from the Judeans (*War* 2.510; 4.105), but sufficiently connected with them for the murder of one to serve the Judeans as an excuse for raiding Samaritan villages. Evidently little excuse was needed. Consequently, having recorded their accidental role as occasions of the fighting under Cumanus, Josephus goes back to what he thinks the important results: the rest of both stories deals with legal proceedings and political maneuvers of the Jerusalemites and Samaritans as separate and hostile *ethne.*

The same polarization appears in the schematic account of the conflict between "Jews" and "Syrians" for political control of Caesarea (*Ant.* 20.173ff.; *War* 2.266ff.) where the "Jews" are presented as a block. (Perhaps they were now more nearly so; group adherence is strengthened by neighborhood hostility.) The argument attributed to the "Syrians," that Herod would not have put statues and temples in the city if he had intended it for Jews (*War,* ib.) is oblivious to the existence and practices of the *Ioudaioi* exemplified in Caesarea by Agrippa I only fifteen years before. Perhaps a comment from Agrippa II led to its deletion from *Ant.* 20.173.[166]

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[165] See the examples analyzed by Cohen, *Josephus,* 206-14, and the account by S. Freyne, *Galilee from Alexander the Great to Hadrian,* Notre Dame and Wilmington, 1980 (U. of Notre Dame Center for the Study of Judaism and Christianity in Antiquity, No. 5).

[166] The use of "Syrians" for the native Palestinian pagans is misleading, but legally defensible. They were "Syrians" because legally Roman subjects of the province of Judea, of which the governors were, in crises, dependent on the Emperor's legate who was in charge of Syria (Schürer-Vermes I.357-361). Since *Ioudaioi* could not be used for

This polarization will reach its illogical conclusion with the massacre of the Jews of Caesarea in 66 CE, and will be enormously extended and intensified by the coming of the war. The profound changes of the attitudes of Jews to gentiles and vice versa which resulted from the war lie outside the limits of this discussion. Even within its limits there has been room only to trace the basic religious and political history of Hyrcanus' innovation and its consequences during the almost two hundred years (c. 125 BCE to 70 CE) in which it radically altered the make up of Jewry and the meaning of the word *Ioudaios.*

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both parties of the dispute, they could be referred to as subjects of the ranking commander.

CHAPTER TWENTY

WERE THE MACCABEES PRIESTS?

Priests are identified by the P material of the Pentateuch as the descendants of Aaron, and it is normally supposed that this identification was generally accepted in Judaism at the time of the Maccabees. Therefore we shall begin by considering the evidence which goes to prove that the Maccabees were of Aaronide ancestry.

This evidence is plentiful. When 1 Macc introduces Mattathias it describes him as "a priest of the sons of Ioarib" (2:1); now Yoyarib is listed as one of the priestly families in Chronicles [1 Chron 9:10; 24:7.], and Chronicles regularly describes the priests as the descendants of Aaron.[1] Nor are we dependent on such syntheses: 1 Macc [in a document concerning Simon Maccabee] lists him as a descendant of Ioarib (14:29). 1 Maccabees also stresses that Phineas who had been granted a covenant of eternal priesthood because of his zeal was called "our father" by Mattathias.[2] There are numerous references to Jonathan's and Simon's high priesthood in narrative sections as well as in documents included in 1 Maccabees.[3]

This material is repeated and developed by Josephus [*Ant.* 12.265 and 13.45ff.] Now Josephus certainly used 1 Macc, but it need not be supposed that, for this tradition, he was entirely dependent on it. He could well have heard independent stories concerning the ancestry of the Maccabees, and that he did is suggested by [e.g., the story of the uprising of the priest Matt(at)hias, son of Asamonaeus (*War* 1.363-367), and by the account of his own pedigree (Vita 14)].

Against all this evidence, there are a few scattered details which suggest that the Maccabees were not of Aaronide descent. First, there is the story found in Josephus, *Ant.* 13.288-98, and in B. Qiddushin 66a, of Hyrcanus' quarrel with the Pharisees. The two versions differ

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This contribution has been edited by Joseph Sievers from an undated typescript found among the literary estate of professor Morton Smith. Additions by the editor, mostly references to sources only vaguely identified in the original, are placed in square brackets. Beyond that, a few mostly typographical errors have been corrected and in some cases bibliographic information has been standardized. With these exceptions, text and notes are presented as they were left by Professor Smith. [For Smith's "Aaronic," I have substituted "Aaronide."—SJDC].

[1] [2 Chron 13:9-10; 26:18; 29:21; 31:19; 35:14; cf. Tob 1:7.]

[2] [1 Macc 2:54; cf. 2:26; Num 25:13. Cf. below.]

[3] [1 Macc 10:20, 69; 11:27, 57; 12:3, 6; 13:36, 42; 14:17-41; 15:1, 17, 21, 24; 16:24. Smith adds "Similarly, 2 Macc" Apparently, however, in 2 Maccabees there is no reference to priestly descent or priestly office of Judas Maccabee or any of his relatives. Regarding Judas' concern for the temple, which is evident in 1 as well as in 2 Maccabees, see below.]

in names and other details, but they agree in making the cause of the quarrel a demand by one of the leading Pharisees, that Hyrcanus give up the priesthood and content himself with the kingship. They agree also that the reason alleged for this demand was a report that his mother had, at one time, been taken prisoner, and could not, therefore, be legally wed to a priest. This would not seem to impugn Hyrcanus' Aaronide ancestry; therefore it is surprising to find in the Talmudic version the demand, "Leave the crown of the priesthood to the seed of Aaron." Now there are several traits peculiar to Josephus' version which look like results of an effort to exculpate the Pharisees: He blames the speaker, and makes the Pharisees agree in blaming him and offend the King only by their objection to the death penalty for the offense. Further, it has been shown elsewhere that Josephus, in the *Antiquities*, is concerned to defend the Pharisees.[4] On the contrary, the Talmudic account, which has no such reason to defend the Pharisees against outside opinion, does not blame the speaker nor indicate that his opinion was rejected by the other Pharisees. It inserts only parenthetically the explanatory report of Hyrcanus' mother's captivity, and a statement that evidence to substantiate the report had not been found, whereas Josephus makes the report an essential part of the speech. A not improbable explanation of these differences would be, that the Talmudic account without the inserted explanation was the original form, and that the explanation, like the Josephan changes, represented modification made out of deference to the popular regard for the Maccabees. If so, the original demand was, "Leave the priesthood to the sons of Aaron," and the implications were clear. In this connection it may be worthwhile to note that an ancient rabbinic tradition, referred to as familiar in the Mishnah[5] and in many other places, distinguishes sharply between an anointed High Priest and a High Priest who is so merely by virtue of wearing the additional garments which go with the office. Needless to say, the former takes precedence over the latter;[6] it is only the former who may offer the special sacrifice prescribed by Lev 4:3 for a High Priest who sins inadvertently, the latter can offer in this instance only the sacrifice prescribed for ordinary individuals (M. Megillah 1.9).[7] This distinction, which may well date from the Maccabean period, includes all High Priests of the second temple in the latter, inferior, class. The hostility of the pseudepigraphic literature, and that of the Qumran sect, to the priesthood of the second temple is well known; much of it dates from the Maccabean period and it may also reflect the belief that the Maccabees were not of Aaronide ancestry.[8]

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[4] M. Smith, "Palestinian Judaism in the First Century," chapter nine above.

[5] Horayot 3.4; Megillah 1.9; Makkot 2.6; etc. [Smith's original reads, "In this connection it may be worth while to note that an ancient rabbinic distinction, referred to as familiar in one of the oldest tractates of the Mishnah and in many other places"; I have edited the text—SJDC.]

[6] T. Horayot 2.10.

[7] Cf. Albeck's commentary ad loc.

Other indications to the same effect may be found in the history of the times. Especial notice is deserved by the fact that, when Demetrius Soter sent up to Jerusalem the High Priest Alcimus, the Hasidim, who had previously been followers of Judas (1 Macc 14:6), proceeded to make peace with him, "for they said, 'A man who is a priest of the seed of Aaron has come'" (1 Macc 7:14). Presumably they were concerned to have an Aaronide priest because of their devotion to the Law (1 Macc 2:42), and the verse reads as if this led them to prefer Alcimus to somebody else. But the preference cannot have been to Menelaus, who was already dead and who, anyhow, had himself been of the seed of Aaron (2 Macc 4:23).[9] Is it possible, then, that the other candidate for the priesthood—the one who was not of the seed of Aaron—was Judas? The books of the Maccabees say nothing of Judas' becoming High Priest, but they say nothing, either, of who served as High Priest at the rededication of the Temple, when the services of a High Priest would probably have been needed. It may be that they were concerned to legitimate the Maccabean claim to the office and therefore preferred to postdate the tenure until it could be justified by appointment by the recognized authority, the King. Josephus, by contrast, makes Judas a High Priest ([*Ant.* 12.414, 419, 434]). Whether or not he ever did assume the office, the Hasidim may have feared that he would, and therefore, if Judas was not of Aaronide ancestry, would have welcomed the advent of a legitimate candidate. But their trust in Aaronide ancestry was sadly mistaken: Alcimus allegedly broke his oath with them and had some sixty executed (1 Macc 7:15ff.). 1 Maccabees' telling of this story would have obvious polemic point if there were some, in the days of the writer, who were anxious to displace the Maccabees and entrust the priesthood to a descendant of Aaron. Look at what the last descendant of Aaron did! But 1 Maccabees was the work of a court historian of John Hyrcanus, and we saw above that the break between Hyrcanus and the Pharisees was precipitated by their demand that he leave the priesthood to the sons of Aaron. Given such a concatenation of evidence, it can scarcely be an accident that one of the most probably Maccabean Psalms (110) contains the verse, "The Lord hath sworn and will not repent, 'Thou art a priest forever after the fashion of Melchizedek'," i.e., not after the fashion of the sons of Aaron.

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[8] In particular [1 Enoch 89:73; 1QpHab 8.8-13; 9.4-12; 11.4-15 and passim.]

[9] Cf. F.-M. Abel's note in his commentary ad loc. (*Les Livres des Maccabées,* Paris, 1949).

This evidence explains the fact, noted by Hölscher,[10] that Yoyarib, the priestly family to which the Maccabees allegedly belonged, was lacking in the oldest lists of the priestly families, and has been interpolated into them. The interpolation is betrayed by the prefixed *and* in [Neh 12:6, 19]. A similar interpolation was made in 1 Chron 9:10f. = Neh 11:10f., where the text originally had Yedayah ben Serayah. Finally, a Hasmonean list in 1 Chron 24 gives Yoyarib first place and degrades Yedayah, the former high priestly house, to second.

Thus we have on the one hand a well represented, definite tradition, based on documents produced in the Maccabean period or interpolated then, declaring with some emphasis that the Maccabees were of Aaronide ancestry. On the other hand we have a considerable number of suspicious details, none of them clear cut and decisive in itself, but all of them fitting together and mutually explicatory if we suppose that the Maccabees were not, originally, of Aaronide ancestry, but laid claim to it when they were about to acquire, or had acquired, the High Priesthood. It is worth noting that these details are in widely scattered and independent sources, whereas the prevalence and uniformity of the official theory can be explained as the result of the court's propaganda and its control of the official text of the sacred books.[11] In sum, it seems likely that the Maccabees were not an Aaronide family.

On the other hand, it seems likely that they were priests. After all, though first appointed by the Seleucids, they afterwards won acceptance of their high priesthood from a great many Jews; this would scarcely have happened had they not had some sort of claim to the office. Further, a number of statements declare that their ancestors were priests, but do not specify that they were Aaronide.

Some confirmation of these statements may be found in Judas' evident concern for the temple. Its restoration and rededication under the walls of the *akra* must have been a difficult military problem and a considerable drain on his forces. Similarly, he attempted to hold it against Antiochus Eupator and Lysias, in spite of the fact that he had little chance of success, whereas his chances would have been very good had he taken to the hills and to guerrilla warfare. Of course, this concern may have been due to lay piety, but it would have been more likely in a family with priestly traditions. Perhaps it was because of such traditions that Mattathias was the man asked to perform the sacrifice, when the assimilationists prepared to offer sacrifices at Modein ([1 Macc 2:15-18]).

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[10] G. Hölscher, "Levi," PW 12,2.2155ff., esp. 2190ff.

[11] The authoritative text was deposited in the archives of the temple. See S. Lieberman, *Hellenism in Jewish Palestine,* New York, 1950, p. 22.

These faint indications would count for nothing if it were a well established fact that, in the Maccabean period, all Jewish priests were Aaronide. But the fact is by no means well established. The Aaronide theory of the priesthood seems to have been the product of a postexilic compromise. Before the exile, all Levites had been priests: Deuteronomy regularly equates the two terms. In Ezekiel 44, on the other hand, an attempt had been made to limit the priesthood to the sons of Zadok, evidently the family which had formerly been in control of the Jerusalem temple. This failed, and in the P material and Chronicles we see the priesthood extended to all the sons of Aaron (a group including, but far more extensive than, the sons of Zadok), but denied to Levites of non-Aaronide families. This denial was evidently an occasion of considerable conflict (Num 16). When the conflict took place, and how long it went on, is completely obscure now, but it may well have been a matter of living tradition in many families of Hasmonean times. Such traditions would account for the fact that new families appear in the priestly lists of the Hasmonean period, which have been inserted into Chronicles.[12] One of these families, Hakkos, appears earlier, in Ezra 2:60, as a family which tried to prove its priestly ancestry and failed. Evidently the standards had changed. And it is not a matter of only one family. Hölscher's comparisons of the priestly lists show Maccabean alterations of more than 50%. It is not unlikely that many of these new admissions were justified by the recognition of family traditions of the sort which may have been current in the family of the Maccabees themselves. They appealed, that is, to a definition of the priesthood different from that represented in Chronicles and P. We have another case of such appeal to a special definition of the priesthood, in the claims of the Zadokite group, which hark back, not to P, but to Ezekiel. This would seem an appeal to a more narrow definition, a deliberate limiting of the priesthood to a single, legitimate family. But it is possible that the "priests" of this society were priests not by inheritance, but by performance. The Damascus Document (4.2ff.), apropos of the passage of Ezekiel cited above, says, "The priests are those of Israel who turned (from sin), those who went out from the land of Judah; and those who joined with them (are the Levites);[13] and the Sons of Zadok are the elect of Israel." It is uncertain whether this is a mere moment of allegorization, or a fully serious explanation of the special meanings that these terms had in the regular usage of the sect. It is equally uncertain whether the Maccabees first claimed to be sons of Phineas in the sense of followers, or in the sense of physical descendants. In either sense, they might have claimed the "eternal priesthood" promised him (Num 25:13), just as they claimed the eternal priesthood exercised by Melchizedek, where they saw yet another opportunity to appeal to a standard of priesthood other than that by which they were excluded.

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[12] Hölscher, "Levi."

[13] The word [Levites] can be made to mean "joiners."

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